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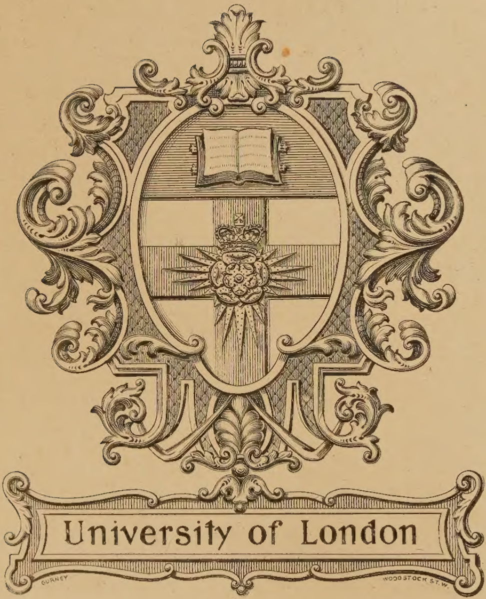
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HANSARD'S

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THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

45° & 46° VICTORIÆ, 1882.

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THE TWENTY-SECOND DAY OF JUNE 1882,

TO

THE TENTH DAY OF JULY 1882.

SIXTH VOLUME OF THE SESSION.

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Prevention of Crime (Ireland) Bill [Bill 157]—

Bill *considered* in Committee [*Progress* 23*rd June*] [Nineteenth Night] .. 546

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Metropolitan Board of Works (Money) Bill [Bill 176]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Courtney*) 665

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be referred to a Select Committee,"—(*Mr. Monk*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 59, Noes 19; Majority 40.—(Div. List, No. 186.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.

Committee report Progress; to sit again upon *Friday*.

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Considered in Committee 673
Resolution *agreed to*; to be reported *To-morrow*.

ARREARS OF RENT (IRELAND) [PAYMENT OF LIABILITIES]—
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QUESTIONS.

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STATE OF IRELAND—REPORTED MURDER NEAR TRALEE—Question, Mr. J. Lowther; Answer, Mr. Trevelyan 674

ORDER OF THE DAY.

Prevention of Crime (Ireland) Bill [Bill 157]—
Bill *considered* in Committee [*Progress 27th June*] [Twentieth Night]— 675
After long time spent therein, it being a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress; Committee to sit again *To-morrow*.

LORDS, THURSDAY, JUNE 29.

Entail (Scotland) Bill (No. 115)—
Order of the Day for the House to be put into Committee read .. 758
After short debate, House in Committee (according to order); Bill *reported* without amendment; amendments made; Bill *re-committed* to a Committee of the Whole House on *Monday* the 10*th of July* next; and to be *printed* as amended. (No. 169.)

PARLIAMENT — ORDER OF BUSINESS — PRECEDENCE OF MINISTERS—RESOLUTION—
Moved, "That all questions of which notice has been given by any Peer who holds or has held any of the offices of Lord Chancellor of England, Lord President of the Council, Lord Privy Seal, First Lord of the Treasury, Secretary of State, or First Lord of the Admiralty, do take precedence of all other Orders of the Day and Notices,"—(*The Earl of Limerick*) 763
After short debate, Motion (by leave of the House) *withdrawn*.

OXFORD UNIVERSITY COMMISSION—RESOLUTION—
Moved, "That the case of the chancellor, masters, and scholars of the University of Oxford, and the case of the University of Oxford Commissioners in regard to a statute made by them for the University of Oxford concerning the nomination of examiners, as presented to the Universities Committee of the Privy Council and as argued before that Committee, be laid upon the Table of the House,"—(*The Earl of Camperdown*) 765
Motion *agreed to*.

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Prevention of Crime (Ireland) Bill [Bill 157]—

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Bill *considered* in Committee [*Progress 5th June*] 896

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ORDER OF THE DAY.

—:o:—

Prevention of Crime (Ireland) Bill [Bill 157]—

Bill *considered* in Committee [*Progress* 29*th June*] [Twenty-Second Night] 937

After long time spent therein, on Question "That Clause 17, as amended, stand part of the Bill"—

The CHAIRMAN called the attention of the Committee to the evidence of the long continued and increasing obstruction to the business of the Committee, which, after twenty-three days' sittings, had culminated in the discussions upon the present Clause; and proceeded to Name severally the following Members:—Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan, for having abused the Rules of the House by persistent and wilful

Prevention of Crime (Ireland) Bill—continued.

obstruction of the business of the Committee; and it was thereupon moved "That these Members be severally suspended from the service of the House during the remainder of this day's sitting,"—(*Mr. Childers*:) —The Committee *divided;* Ayes 126, Noes 27; Majority 99.

Mr. Speaker having resumed the Chair, Mr. Playfair reported to Mr. Speaker the said Resolution. Mr. Speaker thereupon forthwith put the Question to the House "That the said Members be severally suspended from the service of the House during the remainder of this day's sitting:"—The House *divided;* Ayes 125, Noes 29; Majority 96:—Mr. Speaker then directed the aforenamed Members to withdraw, and they withdrew accordingly.

Mr. Playfair then reported to Mr. Speaker that Mr. O'Donnell, the Member for Dungarvan, sitting in his place, had insulted the Chairman, saying that the action taken by him was an infamy:—After debate, it was Ordered, "That the conduct of Mr. O'Donnell be taken into consideration on Monday next."

After further long time spent in Committee, Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil having been severally Named by the Chairman for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee, and a Resolution being agreed to thereon—Mr. Speaker having resumed the Chair and the Resolution having been reported, Mr. Speaker forthwith put the Question:—The House *divided;* Ayes 128, Noes 7; Majority 121:—Mr. Speaker thereupon directed the aforenamed Members to withdraw, and they withdrew accordingly.

After further long time spent in Committee, Committee report Progress; to sit again upon Monday next.

The House adjourned at Eight o'clock of the evening of Saturday; to sit again upon Monday next.

LORDS, MONDAY, JULY 3.

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Supreme Court of Judicature Amendment Bill (No. 167)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1227

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

The Irish Land Commission—The Appellate Court—Observations, Question, The Earl of Longford; Answer, Lord Carlingford; Observations, The Marquess of Waterford 1232

COMMONS, MONDAY, JULY 3.

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ORDER OF THE DAY.

PARLIAMENT—MR. O'DONNELL—

Order read for the Consideration of Mr. O'Donnell's conduct on Saturday last, as reported by the Chairman of the Committee on the Prevention of Crime (Ireland) Bill 1274

Moved, "That Mr. O'Donnell be suspended from the service of the House for the term of fourteen days,"—(*Mr. Gladstone.*)

Whereupon Mr. O'Donnell was heard in his place.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is not prepared to take notice of the language imputed to Mr. O'Donnell, and passes to the next Order of the Day,"—(*Mr. Joseph Cowen.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 199, Noes 35; Majority 164.—(Div. List, No. 231.)

Main Question put:—The House *divided;* Ayes 181, Noes 33; Majority 148.—(Div. List, No. 232.)

Resolved, That Mr. O'Donnell be suspended from the service of the House for the term of fourteen days.

MOTIONS.

PARLIAMENT—ORDERS OF THE DAY—

Moved, "That the Orders of the Day be postponed till after the Notice of Motion relating to the Business of the House (Urgency),"—(*Mr. Gladstone*) .. 1303

After short debate, Question put:—The House *divided;* Ayes 135, Noes 27; Majority 108.—(Div. List, No. 233.)

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—RESOLUTION—

Moved, "That the Resolution of the 3rd February 1881, relating to Urgency in the Business of the House, be revived,"—(*Mr. Gladstone*) 1305

Amendment proposed,

At the end of the Question to add the words "Provided, That so much of the Resolution, as requires that the Question be resolved in the affirmative by a majority of not less than three to one, be dispensed with,"—(*Mr. Parnell.*)

Question proposed, "That those words be there added:"—After debate, Question put:—The House *divided:*—Ayes 41, Noes 184; Majority 143.—(Div. List, No. 234.)

Original Question again proposed 1318

Amendment proposed, at the end of the Question, to add the words "with reference to the Prevention of Crime (Ireland) Bill,"—(*Earl Percy.*)

Question proposed, "That those words be there added:"—After short debate, Question put, and *negatived.*

Original Question put:—The House *divided;* Ayes 259, Noes 31; Majority 228.—(Div. List, No. 235.)

Resolved, That the Resolution of the 3rd of February 1881, relating to Urgency in the Business of the House, be revived.

ORDERS OF THE DAY.

Pevention of Crime (Ireland) Bill [Bill 157]—

Bill *considered* in Committee [*Progress 30th June*] [Twenty-third Night] 1325

After short time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Metropolitan Board of Works (Money) Bill [Bill 176]—

Bill *considered* in Committee [*Progress 27th June*] 1349

After short time spent therein, Bill *reported;* as amended, to be *considered To-morrow*, at Two of the clock.

Bills of Exchange (*re-committed*) **Bill** [Bill 211]—

Bill *considered* in Committee [*Progress 27th June*] 1350

After short time spent therein, Bill *reported;* as amended, to be *considered To-morrow.*

PUBLIC OFFICES SITE [ANNUITIES AND EXPENSES]—

Considered in Committee 1352

Resolution *agreed to;* to be reported *To-morrow*, at Two of the clock.

BOMBAY CIVIL FUND [REVENUES OF INDIA]—

Considered in Committee 1353

Resolution *agreed to;* to be reported *To-morrow*, at Two of the clock.

POST OFFICE—MAIL CONTRACT (SCRABSTER, SCAPA, AND STROMNESS)—RESOLUTION—

Resolved, That the Contract entered into with the North of Scotland and Orkney and Shetland Steam Navigation Company, for the conveyance of Mails between Scrabster, Scapa, and Stromness, be approved,—(*Mr. Courtney*) 1353

[House counted out.]

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Moved, That the order made on the 24th of March last "That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 20th day of June next," be dispensed with, and that the Bill be now read 2^a; *agreed to;* Bill read 2^a accordingly.

Parliamentary Oaths Act (1866) Amendment Bill (No. 111)—
Moved, "That the Bill be now read 2^a,"—(*The Duke of Argyll*) .. 1354

Amendment *moved*,

To leave out from ("That") to the end of the motion for the purpose of inserting the following words ("nothing has arisen in the proceedings of this House which makes it expedient at this time to propose a change in the existing Parliamentary Oath,")—(*The Earl of Carnarvon.*)

After short debate, on Question, That the words proposed to be left out stand part of the motion? Their Lordships *divided;* Contents 62, Not-Contents 138; Majority 76.

Division List, Contents and Not-Contents 1379

Resolved in the *Negative.*

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (OXFORD UNIVERSITY STATUTES)—Question, The Earl of Camperdown; Answer, The Marquess of Salisbury 1381

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PRISONS (IRELAND)—THE KILROSS RIOTS—THOMAS RUSSELL—Question, Mr. O'Sullivan; Answer, The Attorney General for Ireland .. 1382

ARMY (AUXILIARY FORCES)—THE MILITIA—MESS EXPENSES—Question, Sir Harry Verney; Answer, Mr. Childers 1383

CRIME (IRELAND)—AGRARIAN OFFENCES (STATISTICS)—Questions, Sir Michael Hicks-Beach; Answers, Mr. Trevelyan 1383

POOR LAW (IRELAND)—THE SOUTH DUBLIN UNION WORKHOUSE—Question, Mr. Moore; Answer, Mr. Trevelyan 1384

LICENSING ACTS (WALES)—PUBLICANS' LICENCES—Question, Mr. Morgan Lloyd; Answer, Sir William Harcourt 1385

INDIA—IMPORTATION OF EXPLOSIVE OILS—RE-SHIPMENT OF PETROLEUM ILLEGALLY LANDED—Question, Mr. Ecroyd; Answer, The Marquess of Hartington 1385

TRADE AND COMMERCE—RUSSIAN DUTIES ON WORSTED YARNS—Question, Mr. W. E. Forster; Answer, Sir Charles W. Dilke 1386

LAW AND JUSTICE—THE COUNTY COURT JUDGE AT ROCHESTER—Question, Mr. Passmore Edwards; Answer, Sir William Harcourt .. 1386

LAW AND POLICE (IRELAND)—CAPTAIN BARTON AND MR. HUGH M'INTYRE—Questions, Mr. Sexton, Mr. Tottenham; Answers, Mr. Trevelyan .. 1386

EGYPT (POLITICAL AFFAIRS)—Questions, Mr. O'Kelly, Mr. Ashmead-Bartlett, Baron Henry De Worms; Answers, Mr. Gladstone, Mr. Campbell-Bannerman 1388

CRIME (IRELAND)—MURDER OF JOHN KENNY IN DUBLIN—Question, Mr. Tottenham; Answer, Mr. Trevelyan 1390

PARLIAMENT—ORDER OF BUSINESS—Questions, Mr. Carbutt, Mr. Ashmead-Bartlett, Mr. T. P. O'Connor; Answers, Mr. Speaker 1390

MOTIONS.

PARLIAMENT—ORDERS OF THE DAY—
Moved, "That the Orders of the Day be postponed until after the Notice of Motion relating to the Business of the House (Urgency),"—(*Mr. Gladstone*) .. 1391
After short debate, Question put:—The House *divided:* Ayes 391, Noes 20; Majority 371.—(Div. List, No. 238.)

PARLIAMENT—PUBLIC BUSINESS (URGENCY)—
Moved, "That the state of Public Business is urgent,"—(*Mr. Gladstone*) 1392
Question put:—The House *divided;* Ayes 401, Noes 19; Majority 382.
Division List, Ayes and Noes 1392

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—Observations, Mr. Speaker 1395
RULES framed by Mr. SPEAKER for the Regulation of the BUSINESS of the HOUSE, while the State of PUBLIC BUSINESS is URGENT—RULES Regulating the PROCEEDINGS of a COMMITTEE of the WHOLE HOUSE upon any BILL or other MATTER declared URGENT.

PARLIAMENT—BUSINESS OF THE HOUSE—PREVENTION OF CRIME (IRELAND) BILL IN COMMITTEE—WITHDRAWAL OF IRISH MEMBERS—Observations, Mr. Justin M'Carthy 1400

ORDERS OF THE DAY.

Prevention of Crime (Ireland) Bill [Bill 157]—
Bill *considered* in Committee [*Progress 3rd July*] [Twenty-fourth Night] 1400
After long time spent therein, Bill *reported:*—Bill, as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 226.]

Allotments Bill [Bill 90]—
Bill *considered* in Committee 1508
After short time spent therein, Bill *reported;* to be *printed*, as amended [Bill 227]; *re-committed* for *Tuesday* next.

Bombay Civil Fund Bill—Resolution [July 3] *reported*, and *agreed to:*—Bill *ordered* (*The Marquess of Hartington, Lord Richard Grosvenor*); *presented*, and read the first time [Bill 225] 1509

Beer Adulteration Bill [Bill 82]—
Order for Second Reading read 1509
[House counted out.]

COMMONS, WEDNESDAY, JULY 5.

QUESTIONS.

ARREARS OF RENT (IRELAND) BILL—CONFIDENTIAL REPORTS—Question, Mr. A. Grey; Answer, Mr. Gladstone 1509
ARREARS OF RENT (IRELAND) BILL—TENANTS' INTEREST IN HOLDING AN AVAILABLE ASSET—Question, Mr. Heneage; Answer, Mr. Gladstone.. 1510
EGYPT—THE ARMAMENTS IN ALEXANDRIA—Question, Sir R. Assheton Cross; Answer, Sir Charles W. Dilke 1510
PARLIAMENT — PRIVILEGE — SUSPENSION OF IRISH MEMBERS (SATURDAY, JULY 1)—Question, Mr. Callan; Answer, Mr. Lyon Playfair .. 1511

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PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—THE RULES OF DEBATE—Questions, Mr. Sexton, Sir R. Assheton Cross, Mr. Joseph Cowen; Answers, Mr. Speaker 1512

THE IRISH LAND COMMISSION—THE LAND COURTS RETURNS—Question, Mr. Chaplin; Answer, The Attorney General for Ireland .. 1513

EVICTIONS (IRELAND)—THE RETURN—Questions, Mr. Gibson, Mr. Dillon, Mr. Macfarlane; Answers, The Attorney General for Ireland .. 1514

ORDER OF THE DAY.

··——:o:——

Arrears of Rent Ireland (*re-committed*) **Bill** [Bill 213]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Gladstone*) 1514

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing, in case of emergency, to grant money from public funds for purposes which it believes are for the best interests of Ireland, declines to proceed with a measure which imposes taxation for objects which, in its opinion, must tend to demoralize the people of that Country,"—(*Mr. Chaplin,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

EGYPT (POLITICAL AFFAIRS)—Question, Sir Stafford Northcote; Answer, Mr. Gladstone 1568

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS—Observations, Mr. Gladstone 1569

Weights and Measures Act (1878) **Amendment Bill**—*Ordered* (*Major Ross, Dr. Cameron*) 1570

LORDS, THURSDAY, JULY 6.

EGYPT—THE ARMAMENTS AT ALEXANDRIA—Questions, The Marquess of Salisbury, Lord Oranmore and Browne; Answers, Earl Granville .. 1570

Cathedral Statutes (*re-committed*) **Bill** (No. 170)—

Amendment *reported* (according to order) 1571
After short debate, Bill to be read 3ª *To-morrow.*

Justices' Jurisdiction Bill (No. 172)—

Amendments *reported* (according to order) 1572
After short debate, Bill to be read 3ª *To-morrow;* and to be *printed* as amended. (No. 174.)

Supreme Court of Judicature Amendment Bill (No. 167)—

House in Committee (according to order) 1575
Amendments made:—The Report thereof to be received *To-morrow;* and Bill to be *printed* as amended. (No. 179.)

Vagrancy Bill (No. 161)—

Moved, "That the Bill be now read 2ª,"—(*The Earl Stanhope*) .. 1577
After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

The House of Lords—Reporting—Accommodation for the Reporters—Resolution—

Moved, "That until the end of the Session the reporters be provided with temporary accommodation on each side of the Peers' Gallery under the two centre windows,"—(*The Earl Beauchamp*) 1580

After debate, Motion (by leave of the House) *withdrawn*.

Land Law (Ireland) Act, 1881—Section 59—Loans to Irish Landlords—Question, Lord Oranmore and Browne; Answer, Lord Carlingford .. 1590

COMMONS, THURSDAY, JULY 6.

PRIVATE BUSINESS.

London Riverside Fish Market Bill (by Order)—

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QUESTIONS.

Metropolis—The Regent's Canal—Question, Mr. Bryce; Answer, Mr. Chamberlain 1594

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Police Superannuation Bill—The Pension Fund—Question, Sir Massey Lopes; Answer, Mr. Hibbert 1595

Jamaica—The Seizure of the "Florence"—The Legislative Council—Question, Mr. Serjeant Simon; Answer, Mr. Evelyn Ashley .. 1596

Payment of Wages Act (1880)—Fishing Vessels—Desertion of Men—Questions, Mr. Birkbeck, Mr. Heneage; Answers, Mr. Chamberlain 1597

International Law—The Spanish Steamer "Leon XIII."—Illegal Detention of English Engineers—The Spanish Consul—Questions, Dr. Cameron; Answers, Sir Charles W. Dilke 1599

Protection of Person and Property (Ireland) Act, 1881—Mrs. John Morony—Question, Mr. O'Shea; Answer, Mr. Trevelyan .. 1599

Egypt (Political Affairs)—The Papers—Questions, Mr. Bourke; Answers, Sir Charles W. Dilke 1600

Post Office Contracts—The West India and Pacific Mails—Question, Lord Claud Hamilton; Answer, Mr. Fawcett 1601

Prisons (England)—Prison Regulations—Case of Henry Neville—Question, Mr. P. A. Taylor; Answer, Sir William Harcourt .. 1601

Afghanistan—Subsidy to the Ameer—Questions, Mr. E. Stanhope, Mr. Salt; Answers, The Marquess of Hartington 1602

Post Office—The General Parcel Post—Question, Mr. Salt; Answer, Mr. Fawcett 1602

Endowed Schools (Ireland)—The Swords Borough School—Question, Mr. P. Martin; Answer, Mr. Trevelyan 1603

Poor Law (Ireland)—Castle Blaney—Election of Guardians—Question, Mr. Findlater; Answer, Mr. Trevelyan 1604

Public Offices Site—The Admiralty, &c.—The Mall—Question, Sir Harry Verney; Answer, Mr. Shaw Lefevre 1605

Metropolitan Improvements—Hyde Park Corner—Question, Sir Harry Verney; Answer, Mr. Shaw Lefevre 1606

Inspectors of Prisons (Ireland)—Question, Sir Henry Holland; Answer, Mr. Trevelyan; Question, Mr. O'Connor Power; [No answer] 1607

Post Office—Licences to Telephone Companies—Question, Mr. Boord; Answer, Mr. Fawcett 1607

THE ROYAL IRISH CONSTABULARY—THE OATH—Question, Mr. Healy; Answer, Mr. Trevelyan 1607
LAW AND JUSTICE (IRELAND)—APPOINTMENT OF CROWN PROSECUTOR FOR CORK—Question, Mr. Tottenham; Answer, The Attorney General for Ireland 1608
THE IRISH LAND COMMISSION—CASES SETTLED BY AGREEMENT—Question, Mr. Chaplin; Answer, Mr. Trevelyan 1608
EDUCATIONAL ENDOWMENTS (SCOTLAND) BILL—Question, Mr. Dick-Peddie; Answer, Mr. Mundella 1608
ARMY—REGIMENTS FOR FOREIGN SERVICE—Questions, General Feilden, Mr. Arthur O'Connor; Answers, Mr. Childers 1608
THE CHANNEL TUNNEL SCHEME—Question, Captain Aylmer; Answer, Mr. Chamberlain 1610
LAND LAW (IRELAND) ACT, 1881—THE COMMISSIONERS' COURT—"OWEN *v.* DAY"—Questions, Mr. Fitz-Patrick, Mr. Arthur O'Connor; Answers, The Attorney General for Ireland 1610
LAND LAW (IRELAND) ACT, 1881—THE SUB-COMMISSIONERS—MR. THOMAS MEEK—Question, Mr. Fitz-Patrick; Answer, Mr. Trevelyan; Questions, Mr. Gibson, Mr. Healy, Mr. Tottenham; [No answers] .. 1612
THE REGISTRY OF DEEDS OFFICE (MIDDLESEX)—RETURN OF FEES AND EXPENDITURE — Question, Mr. Arthur O'Connor; Answer, Mr. Courtney 1614
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EGYPT—THE SUEZ CANAL—Questions, Sir Wilfrid Lawson, Mr. Bourke, Mr. W. H. Smith; Answers, Mr. Gladstone 1617
PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—THE NEW RULES—Questions, Mr. Arthur Arnold, Mr. T. P. O'Connor; Answers, Mr. Gladstone, Mr. Speaker 1619
PARLIAMENT — THE CHAIRMAN OF COMMITTEES—Questions, Mr. Stanley Leighton; Answers, Mr. Gladstone, Mr. Speaker 1620
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PARLIAMENT—THE CHAIRMAN OF COMMITTEES—Questions, Sir H. Drummond Wolff, Mr. Gorst, Mr. T. P. O'Connor; Answers, Mr. Speaker, Mr. Gladstone 1622
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EGYPT—THE ARMAMENTS AT ALEXANDRIA—Question, Sir Wilfrid Lawson; Answer, Sir Charles W. Dilke 1625
EGYPT—THE RIOTS IN ALEXANDRIA—Question, Mr. Joseph Cowen; Answer, Sir Charles W. Dilke 1626

ORDERS OF THE DAY.

Arrears of Rent (Ireland) (*re-committed*) **Bill** [Bill 213]—
Order read for resuming Adjourned Debate on Amendment proposed to Question [5th July], "That Mr. Speaker do now leave the Chair" (for Committee on the Arrears of Rent (Ireland) *re-committed* Bill):—Question again proposed, "That the words proposed to be left out stand part of the Question;"—Debate *resumed* 1626

Arrears of Rent (*Ireland*) (*re-committed*) *Bill*—continued.

After long debate, Question put:—The House *divided;* Ayes 283, Noes 208; Majority 75.

Division List, Ayes and Noes 1718

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Brodrick:*)—After further short debate, Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to:*—Bill *considered* in Committee.

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

WAYS AND MEANS—*considered* in Committee—

(In the Committee.)

Motion made, and Question proposed, "That there shall be granted and paid to Her Majesty, her heirs, and successors, upon every half-pound weight of any article or substance called by any name of Coffee or Chicory, or prepared or manufactured for the purpose of being in imitation of, or in any respect to resemble or to serve as a substitute for Coffee or Chicory, which is sold or kept for sale in the United Kingdom, and also upon every half-pound weight of any mixture of such article or substance as aforesaid with Coffee or Chicory, which is sold or kept for sale in the United Kingdom, the Duty of Excise of one penny,"—(*Mr. Courtney*) .. 1727

After short debate, Motion *agreed to.*

Resolution to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*, at Two of the clock.

Public Offices Site Bill [Bill 221]—

Order for Third Reading read, and *discharged* 1733

Moved, "That the Bill be re-committed, in respect of Clauses 5, 7, and 16,"—(*Mr. Shaw Lefevre:*)—Question put, and *agreed to:*—Bill *considered* in Committee.

After short time spent therein, Bill *reported;* as amended, *considered* (Queen's *Consent* signified).

Moved, "That the Bill be now read the third time,"—(*Mr. Shaw Lefevre:*)—After short debate, Motion *agreed to:*—Bill read the third time, and *passed.*

Agricultural Tenants' (Compensation) (No. 2) Bill [Bill 80]—

Order for Committee read:—*Moved*, "That the Order for Committee be discharged, and that the Bill be referred to a Select Committee,"—(*Sir Thomas Acland*) 1736

After short debate, Motion *agreed to:*—Order *discharged:*—Bill *referred* to a Select Committee.

MOTIONS.

Friendly Societies (Quinquennial Returns) Bill—*Ordered* (*Mr. Herbert Gladstone, Mr. Courtney*); *presented*, and read the first time [Bill 228] 1737

Beer Dealers' Retail Licences Act (1880) Amendment Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported:*—Bill *ordered* (*Mr. Ritchie, Mr. Chaplin, Colonel Kingscote*); *presented*, and read the first time [Bill 229] 1737

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The Irish Land Commission—The Sub-Commissioners—Judicial Rents—Motion for a Return—

Moved, "That there be laid before this House, Return stating the number of cases in each district in which rents have been judicially fixed by the Irish Land Sub-Commissioners lower than the Government valuation; giving in each such case the valuation (1) with, and (2) without buildings, and the judicial rent fixed,"—(*The Viscount Lifford*) 1737

After debate, Motion (by leave of the House) *withdrawn.*

Navy (Foreign Stations)—Nominations to Death Vacancies—Motion for Returns—

Moved for, "Returns of the number of deaths of commissioned officers on the different foreign naval stations each year for the last five years,"—(*The Viscount Sidmouth*) .. 1763

After short debate, Motion *agreed to*:—Returns *ordered* to be laid before the House.

Stolen Goods Bill (No. 156)—

House in Committee (according to order) 1765

Amendments made:—The Report thereof to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 185.)

The Irish Land Commission—Appeals from Decisions of the Sub-Commissioners—Motion for a Return—

Moved for, "Numerical return of appeals from decisions of Sub-Commissioners, heard before the Irish Land Commissioners up to 30th June 1882, showing the localities where the appeals were heard, and the names of the Commissioners who heard the appeals upon each occasion; and similar return of appeals from decisions of Civil Bill Courts,"—(*The Earl of Longford*) 1770

After short debate, Motion *agreed to*:—Returns *ordered* to be laid before the House.

Railways (India)—The Rajputana Railway—Through Traffic Rates—Question, Observations, Lord Stanley of Alderley; Reply, Viscount Enfield 1773

Prevention of Crime (Ireland) Bill—Brought from the Commons; read 1^a; to be *printed*; and to be read 2^a on *Monday* next; and Standing Order No. XXXV. to be considered in order to its being dispensed with (*The Lord Privy Seal.*) (No. 186.)

COMMONS, FRIDAY, JULY 7.

QUESTIONS.

Egypt (Diplomacy, &c.)—Questions, Mr. Bourke; Answers, Sir Charles W. Dilke 1775

The Irish Land Commission—Mr. John George M'Carthy, a Sub-Commissioner—Questions, Mr. Plunket, Colonel Colthurst; Answers, Mr. Trevelyan 1776

Protection of Person and Property (Ireland) Act, 1881—Mr. Martin King—Question, Mr. O'Connor Power; Answer, Mr. Trevelyan .. 1778

Indian Officials (Madras)—Gold Mining Concessions—Question, Sir Wilfrid Lawson; Answer, The Marquess of Hartington .. 1778

Convict Prisons (Dublin)—The Inspectors — Questions, Mr. Justin M'Carthy, Mr. Dillon, Sir Michael Hicks-Beach, Sir Henry Holland, Sir R. Assheton Cross; Answers, Mr. Trevelyan 1779

The Irish Land Commission—Court Valuers—Mr. George M'Ilroy—Questions, Sir Hervy Bruce, Mr. Fitz-Patrick; Answers, Mr. Trevelyan 1780

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EGYPT (POLITICAL AFFAIRS)—THE RIOTS AT ALEXANDRIA—Questions, Mr. O'Kelly, Mr. Ashmead-Bartlett, Mr. Mac Iver, Mr. Onslow, Sir Stafford Northcote, Sir Wilfrid Lawson; Answers, Sir Charles W. Dilke, The Chancellor of the Exchequer 1786

ORDER OF THE DAY.

Prevention of Crime (Ireland) Bill [Bill 226]—

Bill, as amended, *considered* 1790

After long debate, it being ten minutes before Seven of the clock, Further Proceeding on Consideration stood adjourned till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Further Proceeding on Consideration, as amended, *resumed* .. 1833
After debate, *Moved,* "That the Bill be now read the third time,"—(*Mr. Trevelyan*) 1849

After further debate, Question put, and *agreed to*:—Bill *passed.*

MOTION.

PARLIAMENT — PRIVILEGE — SUSPENSION OF IRISH MEMBERS (SATURDAY, JULY 1)—RESOLUTION—

Moved, "That so much of the Resolution of this House as referred to the suspension of Mr. Marum from the service of the House on Saturday 1st July, be rescinded,"—(*Sir John Hay*) 1866

After debate, Question put:—The House *divided;* Ayes 29, Noes 61; Majority 32.—(Div. List, No. 243.)

WAYS AND MEANS—

Resolution [July 6] *reported,* and *agreed to.*

Instruction to the Committee on the Customs and Inland Revenue Bill, That they have power to make provision therein pursuant to the said Resolution.

WAYS AND MEANS—

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1883, the sum of £5,703,891 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

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EGYPT (POLITICAL AFFAIRS)—THE FORTIFICATIONS AT ALEXANDRIA—INCREASE OF ARMAMENT—ATTITUDE OF THE BRITISH FLEET—Statement, Earl Granville 1881

Prevention of Crime (Ireland) Bill (No. 186)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Privy Seal*) .. 1881

After debate, Motion *agreed to*:—Bill read 2ª accordingly:—Then order for considering Standing Order No. XXXV., in order to its being dispensed with, read, and *discharged*: Bill *committed* to a Committee of the Whole House *To-morrow*; and Standing Order No. XXXV. to be considered in order to its being dispensed with.

INDIA—MADRAS PRESIDENCY—SARVEPALLI CHENCHU RAMIAH—Presentation of Petition, Question, Lord Stanley of Alderley; Answer, Viscount Enfield 1906

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ARMY (AUXILIARY FORCES)—FIELD GUNS FOR THE VOLUNTEERS—Question, Observations, Lord Truro; Reply, The Earl of Morley .. 1907

Representative Peers (Scotland) Election Procedure Bill—

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After short debate, Bill read 1ª. (No. 190.)

EGYPT—IMPENDING HOSTILITIES—REFUGEES IN MALTA—Question, Observations, The Earl of Limerick; Reply, The Earl of Kimberley .. 1913

Supreme Court of Judicature Amendment Bill (No. 179)—

Bill read 3ª (according to Order) 1914

Moved, "That the Bill do pass,"—(*The Lord Chancellor.*)

After short debate, Motion *agreed to*:—Bill *passed*, and sent to the Commons.

COMMONS, MONDAY, JULY 10.

PRIVATE BUSINESS.

—:o:—

London River-side Fish Market Bill (*by Order*)—

Lords Amendments *considered* 1915

Lords Amendments, as far as New Clause 54a, *agreed to.*

New Clause 54a (Providing for compensation to Corporation of London), read a second time.

Moved, "That the House doth disagree with the Lords in the said Amendment,"—(*Mr. Ritchie*:)—After debate, Question put, and *agreed to.*

The next Amendment New Clause 54b (Providing for transfer of undertaking to Corporation of London), *disagreed to.*

Committee *appointed*, "to draw up Reasons to be assigned to The Lords for disagreeing to two of the Amendments made by The Lords:"—List of the Committee - .. 1937

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PORTUGAL—CLAIMS OF A RAILWAY COMPANY—Question, Mr. R. N. Fowler; Answer, Sir Charles W. Dilke 1937
FISHERIES (SCOTLAND)—ILLEGAL SEIZURE—H.M.S. "JACKAL"—Question, Mr. Fraser-Mackintosh; Answer, Mr. Campbell-Bannerman .. 1938
EGYPT—ARMAMENTS AT ALEXANDRIA—IMPENDING HOSTILITIES—Questions, Mr. Onslow, Sir Stafford Northcote, Sir George Campbell; Answers, Sir Charles W. Dilke 1939
THE MAGISTRACY (IRELAND)—MR. PEYTON—Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan 1942
IRELAND—DRAINAGE OF RIVERS—THE RIVER BROSNA—Question, Mr. Dillon; Answer, Mr. Courtney 1942
EVICTIONS (IRELAND)—CASE OF JEREMIAH KELLEHER—Question, Mr. Dillon; Answer, Mr. Trevelyan 1943
PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. WILLIAM RUSSELL—Question, Mr. Dillon; Answer, Mr. Trevelyan .. 1943
PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—WILLIAM KENNEDY—Question, Mr. Molloy; Answer, Mr. Trevelyan .. 1944
THE BOARD OF MANUFACTURERS (SCOTLAND)—Question, Mr. Dick-Peddie; Answer, Mr. Courtney 1944
RELIEF OF DISTRESS (IRELAND) ACTS—GRANTS TO UNIONS—Question, Mr. W. H. Smith; Answer, Mr. Courtney 1944
PIERS AND HARBOURS (IRELAND)—WORKS AT GOWLEEN TULLIG—Question, Mr. O'Shea; Answer, Mr. Courtney 1945
PIERS AND HARBOURS (IRELAND) — WORKS AT GOWLEEN ROSS AND GERRAHIES REEF—Questions, Mr. O'Shea, Colonel Colthurst; Answers, Mr. Courtney 1945
EDUCATION DEPARTMENT—SCHOOL TEACHERS' PENSIONS—Question, Mr. Lyulph Stanley; Answer, Mr. Mundella 1946
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CRIME (IRELAND)—RECENT MURDERS—Question, Mr. Fitz-Patrick; Answer, Mr. Trevelyan 1954
IRELAND—PRISONERS DETAINED UNDER THE STATUTE 34 EDWARD III. c. 1—Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan .. 1954
EGYPT—THE FLEET AT ALEXANDRIA—Question, Mr. Mac Iver; Answer, Mr. Campbell-Bannerman 1955
NAVY—H.M.S. "THUNDERER"—Question, Mr. Mac Iver; Answer, Mr. Campbell-Bannerman 1955
MALTA—FORTIFICATIONS—SLIEMA HARBOUR—Question, Mr. Mac Iver; Answer, Mr. Childers 1956
NAVY—ROYAL MARINES IN EGYPT—Question, Mr. Gorst; Answer, Mr. Campbell-Bannerman 1956

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ARTIZANS' DWELLINGS—LEGISLATION—Question, Sir Stafford Northcote; Answer, Mr. Shaw Lefevre 1956

EVICTIONS (IRELAND)—Question, Sir Michael Hicks-Beach; Answer, Mr. Trevelyan 1956

IRELAND—USE OF BLOODHOUNDS—Question, Mr. Sexton; Answer, Mr. Trevelyan 1957

EVICTIONS (IRELAND)—EVICTIONS AT KILLASPAGBRONE, Co. SLIGO—Question, Mr. Sexton; Answer, Mr. Trevelyan 1957

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. PATRICK C. KELLY—Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan .. 1958

LAND LAW (IRELAND) ACT, 1881—CLAUSE 8—"M'GARRY *v.* THE EARL OF GRANARD"—Questions, Mr. Healy; Answers, Mr. Trevelyan .. 1958

WAYS AND MEANS—INLAND REVENUE—THE CARRIAGE TAX—Question, Mr. W. H. Smith; Answer, Mr. Gladstone 1960

INDIA—IMPORTATION OF EXPLOSIVE OILS—RE-SHIPMENT OF PETROLEUM ILLEGALLY LANDED—Question, Mr. Ecroyd; Answer, The Marquess of Hartington 1961

CRIME (IRELAND)—THE ATTEMPTED MURDER IN CO. CLARE—Question, Mr. Tottenham; Answer, Mr. Trevelyan 1961

THE MINISTRY—THE DIVISION ON FRIDAY—Questions, Mr. A. J. Balfour, Mr. Sexton; Answers, Mr. Gladstone, Sir William Harcourt .. 1961

EGYPT—ENGLISH REFUGEES—Question, Mr. Ashmead-Bartlett; Answer, Mr. Gladstone 1962

PARLIAMENT—PRIVILEGE—SUSPENSION OF IRISH MEMBERS (SATURDAY, JULY 1)—THE CHAIRMAN OF COMMITTEES—Questions, Mr. Callan; Answers, Mr. Lyon Playfair 1962

LAW AND POLICE—RIOTS AT TREDEGAR—Questions, Mr. Parnell; Answers, Sir William Harcourt 1963

IRELAND—THE 12TH OF JULY—ORANGE PROCESSIONS—Questions, Mr. Parnell; Answers, Mr. Trevelyan 1964

EGYPT—ARMAMENTS AT ALEXANDRIA—IMPENDING HOSTILITIES—Questions, Sir Wilfrid Lawson, Viscount Folkestone, Mr. C. Seely (*Nottingham*); Answers, Mr. Gladstone 1965

THE MINISTRY—PUBLIC BUSINESS — AN AUTUMN SESSION — Ministerial Statement, Mr. Gladstone:—Short debate thereon 1967

ORDERS OF THE DAY.

—:0:—

Arrears of Rent (Ireland) (*re-committed*) **Bill** [Bill 213]—

Bill *considered* in Committee [*Progress 6th July*] [First Night] .. 1972

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Partnerships (*re-committed*) **Bill** [Bill 179]—

Bill *considered* in Committee [*Progress 29th June*] 2058

After short time spent therein, Committee report Progress; to sit again *To-morrow*.

Lunacy Regulation Amendment Bill [*Lords*] [Bill 230]—

Moved, "That the Bill be now read a second time,"—(*Mr. Hibbert*) .. 2061

Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

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WAYS AND MEANS—
Consolidated Fund (No. 4) Bill
Resolution [July 7] *reported*, and *agreed to* :—Bill *ordered* (*Mr. Playfair, Mr. Chancellor of the Exchequer, Mr. Courtney*) ; *presented*, and read the first time 2062

MOTIONS.

—:o:—

Turnpike Acts Continuance Bill—*Ordered* (*Mr. Hibbert, Mr. Dodson*); *presented*, and read the first time [Bill 233] 2062

Passenger Vessels Licences (Scotland) Bill—*Considered* in Committee :—Resolution *agreed to*, and *reported* :—Bill *ordered* (*The Lord Advocate, Mr. Solicitor General for Scotland*) *presented*, and read the first time [Bill 234] 2062

LORDS.

NEW PEER.

Tuesday, June 27.

The Right Honourable John David FitzGerald, one of the Justices of the Queen's Bench Division of Her Majesty's High Court of Justice in Ireland, appointed a Lord of Appeal in Ordinary, under the provisions of the Appellate Jurisdiction Act, 1876, created Baron FitzGerald of Kilmarnock, in the county of Dublin.

SAT FIRST.

Thursday, June 29.

The Lord Robartes, after the death of his father.

Tuesday, July 4.

The Earl of Wilton, after the death of his father.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Third Session of the *Twenty-Second Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
appointed to meet 29 April, 1880, in the Forty-third
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

SIXTH VOLUME OF SESSION 1882.

HOUSE OF LORDS,

Thursday, 22*nd June*, 1882.

MINUTES.]—Public Bills—*First Reading*—Copyright (Musical Compositions) * (159).

Second Reading—Cathedral Statutes Amendment (99); Judgments (Inferior Courts) (110); Public Schools (Scotland) Teachers (143).

Select Committee—Report—Stolen Goods [No. 155].

Committee—Gas Provisional Orders * (96-157); Water Provisional Orders * (97-158); Roads Provisional Order (Edinburgh) * (78); Somersham Rectory * (116).

Committee—Report—Local Government Provisional Orders (No. 3) * (122); Interments (felo de se) * (130); Local Government Provisional Orders (No. 2) * (134); Local Government Provisional Orders (No. 6) * (135); Local Government Provisional Order (No. 10) * (136); Local Government (Ireland) Provisional Orders (No. 2) * (132); Local Government (Ireland) Provisional Orders (No. 3) * (133); Land Drainage Provisional Order * (131); Customs and Inland Revenue Buildings (Ireland) * (142).

Report—Artillery Ranges * (119); Stolen Goods * (64-156); Tramways Provisional Orders (No. 2) * (126).

Third Reading—Pier and Harbour Provisional Orders (No. 2) * (123); Election of Representative Peers (Ireland) * (137); Public Health (Fruit-Pickers' Lodgings) * (127); Local Government Provisional Order (Artizans' and Labourers' Dwellings) * (121); Intermediate Education (Ireland) * (138), and *passed*.

AFRICA (SOUTH)—ZULULAND—REPORTED DISTURBANCES.

QUESTION. OBSERVATIONS.

THE EARL OF CARNARVON: My Lords, I wish to ask the noble Earl the Secretary of State for the Colonies a Question of which I have given him private Notice. I wish to know whether he can give us any information as to the serious disturbances which have taken place in Zululand? So far as I can understand, Cetewayo's brother has attacked one of the small Kings recently set up, and among whom Zululand was divided. A serious disturbance of this kind is, of course, of grave importance to South Africa and to this country. I do not want to make any further comment at present, as the policy of Her Majesty's Government on this question must come under your Lordships' notice on another occasion, if, unhappily, the troubles should go further. It will be convenient if the noble Earl can put us in possession of any information he may have received on this subject.

THE EARL OF KIMBERLEY: My Lords, the most convenient course for me to take in answering the Question of the noble Earl will be to state the telegraphic despatches we have received from Sir Henry Bulwer. On the 7th instant Sir Henry Bulwer telegraphed that Mr. Osborne reported that Oham and Umyamana were arming, that he feared a collision between them, and that he thought the movement proceeded from the ex-King's party. Sir Henry Bulwer had instructed Mr. Osborne to mediate, and endeavour to avert a collision. On the 17th Sir Henry Bulwer telegraphed that Mr. Osborne's Reports were still unsatisfactory, though not hopeless. Mr. Osborne was of opinion that the movement was directed by the Cetewayo party against the two Chiefs, with the view, if successful, of setting up Dabuko, the ex-King's brother, as King or Regent. And on the 20th he telegraphed that he had received a Report from Mr. Osborne, dated the 13th instant, which was more hopeful, but that the position of affairs was still serious. There appears to have been no actual outbreak and no fighting between the Chiefs.

EGYPT (POLITICAL AFFAIRS)—THE CONFERENCE.—QUESTION.

THE MARQUESS OF SALISBURY: My Lords, I have given Notice to the noble Earl the Secretary of State for Foreign Affairs of a Question which I wish to put with respect to the Conference on the condition of Egypt. I wish to know whether the Conference which has now assembled, or is assembling, at Constantinople has assembled without the consent of the Porte? I am told that the noble Earl is not likely to be present. I do not know whether any other Member of the Government can answer the Question.

THE EARL OF KIMBERLEY: My noble Friend has not given me any information on the subject; and I am not, therefore, in a position to answer the Question of the noble Marquess.

CATHEDRAL STATUTES AMENDMENT BILL.—(No. 99.)

(*The Lord Archbishop of Canterbury.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE ARCHBISHOP OF CANTERBURY, in moving that the Bill be now read a second time, said, the Bill was founded on the recommendations of a Royal Commission, of which he had the honour to be Chairman, and was meant to provide a scheme whereby the Cathedral Statutes might be varied and modified from time to time to meet the altered circumstances of the day. It was obviously the wish of all parties in the Church that that power of modification which in ancient times was nominally vested in the Crown should become a reality. The cathedrals of the old foundation had seemed to many to have a power of altering their Statutes; but the result of the inquiry by the Royal Commission had been to give rise to serious doubts as to whether any such power existed even in those cathedrals, and it was absolutely certain that no such power existed in the new foundation. The Commission found, too, that many of the Statutes issued in very ancient times were totally inapplicable to the present day, and that those who wished to reform the existing state of things were perpetually hampered by the restraint imposed on their energies by old Statutes no longer applicable to modern times. Under these circumstances, the first thing the Commission had set itself to consider was how to remove all such doubts, and place all the cathedrals of the country upon the same footing by bringing forward a strong Constitutional measure whereby the undoubted rights of the Sovereign should be realized in those matters for the future. The Commission considered that no body would be more suited to give advice to Her Majesty on this subject than some Department of the Privy Council. Accordingly, this Bill proposed the formation of a Committee of the Privy Council, consisting, on the one hand, of persons supposed to be well-acquainted with cathedrals, and, on the other hand, of persons well-acquainted with the bearing of these institutions on the general welfare of the country. The Bill proposed that the Committee should consist of the two Archbishops and the Bishop of London, the Lord Chancellor, the President of the Council, and four other Members of the Privy Council, and that they should hereafter advise Her Majesty as to the issue of new Statutes, or the amending of old Statutes, for the time to come. All persons connected with the cathedrals had been invited to give as much information as they could to the Royal Commission; and he was bound to say that the Royal Commission had had abundant information given to them. The Commission laid down, as a first principle of their action, that each cathedral was to be treated according to its own peculiar circumstances, and therefore any general statement in the Report of the Commission would not apply alike to all cathedrals. There was a great difference, for example, between Manchester and St. David's. It would be folly to apply the same rule in detail to the Cathedral Bodies in both those places, the first being the centre of civilization in the North, and the latter amidst a sparse population in a very distant part of a Welsh mountainous district. The Commission had shadowed forth, with, perhaps, as much detail as circumstances admitted, the sort of changes which it was desirable to make, varying those changes according to the differing circumstances of the places in which they were to be applied. In order to ascertain distinctly what were the opinions of each capitular body, the Commissioners, when new Statutes in respect to any particular cathedral began to assume a definite form in their recommendations, sent such Statutes for observation and criticism to the Bishop and the Chapter. He should greatly regret any unnecessary delay in dealing with the subject. Twenty-six years ago a Report had been published upon it by very competent persons, and it had been discussed in many learned works. The time had come when legislation should at last be undertaken. Increasing respect was being shown to Cathedral Bodies, and the estimation in which they were held was growing day by day. The large attendance of worshippers at St. Paul's Cathedral was one proof of that. It was very desirable, therefore, that means should be taken to remove any restrictions which impeded the usefulness of bodies, which might be as serviceable in the 19th century as they had been in past times. The most rev. Prelate concluded by moving that the Bill be now read a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Archbishop of Canterbury.*)

THE BISHOP OF EXETER, in moving, as an Amendment, that the Bill be read a second time that day three months, said, he regretted to find himself in opposition to the most rev. Prelate. The proposed mode of procedure was so contrary to sound principle, and so mischievous a precedent, and also so utterly unnecessary, that he could not conscientiously allow the Bill to be read a second time without stating his objections to it. To pass the Bill would be to legislate in the dark. The course which had been followed in connection with the subject before the House differed materially from the course usually followed in connection with kindred matters. The Commission which was appointed three years ago had collected a great deal of information about different cathedrals. Their Report, however, which was issued on February 8, 1882, was a most singular Report, for it did not contain one single statement of fact, and gave no idea of the nature of their proposed schemes. In fact, it was nothing more than a general expression of opinion with regard to what should be done with cathedrals. Fuller information had been promised, but it had not yet been given. The result of all this was seen in the peculiar form of the Bill, by which it was proposed to turn the present Commission of Inquiry into what might be called an Executive Commission, and to empower the Privy Council to hear objections. There the whole matter was left. The cathedrals, in fact, would practically be handed over to two irresponsible bodies, to whom no instructions would be given. There was nothing in the Bill to tell them what they were to do, and what the Commissioners thought should be done was only very vaguely suggested. If this Report had been put before the Commissioners at their first sitting by someone who had drawn it up because he thought that something should be done, and if this gentleman came to them to be examined, one of the first questions that would be asked of him would be—"Will you illustrate by one or two instances what you mean by this? You say you will endeavour to guard against any rash or ill-considered changes in the conduct of the cathedral services. What do you mean by that? You say that you will permit flexibility. What do you mean by flexibility? You propose to strengthen the cathedrals by introducing preachers from outside. In what way is this introduction of men who are not members of the Cathedral Body to be controlled?" It was as clear as anything could be that according to the answers the man who drew up the scheme would give would be the judgment of the Commissioners on it. But if Parliament was to pass this Bill, and create these two irresponsible bodies at all, they would be legislating in the dark; and he could not understand how such a course was to be reconciled with their ordinary practice in all these matters. It was not so much that he objected to the machinery provided; he did not think it was a bad machinery; but what he objected to was that they should leave these two bodies absolutely without guidance. It was true that when the schemes were drawn up by the Commissioners and submitted to the Privy Council, they might then be discussed by Parliament; but Parliament would have to discuss them one by one. There were no general principles laid down to guide Parliament. If he was to object to what was proposed with regard to Exeter Cathedral, there would be against him the authority of the Commissioners, who would say that they had examined into the matter, and he would have nothing to appeal to except his own opinions of the particular working of his own cathedral, and it was obvious that Parliament could not decide except according to the view of the Commission. He could not help thinking that it would be no more than right that before assenting to this application Parliament should ask the Commissioners to lay before it a certain number of Reports upon special cathedrals. What was proposed with regard to his own cathedral might be excellent; but he did not in the least know what it was, and he did not at all like consenting to legislation which practically illustrated the old nursery rhyme—

"Open your mouth and shut your eyes.
And in your mouth you'll find a prize."

It was said they could not deal with cathedrals as a whole. But his answer was—here were some general matters laid down, and could they not have some illustrations of them? He did not ask for indefinite delay, but only for such delay as would enable Parliament thoroughly to understand the case, which very few Members of that House did at present. It seemed strange that Parliament should be ready to hand over everything without any real knowledge of the matter to those Commissioners to do as they thought best. It was not that he had not a high opinion of the Commissioners. He did not know that he would wish to change a single name; but the trust Parliament was asked to give them in this instance went beyond its ordinary practice, and would be a very bad precedent. If they waited until the early part of next year, no great harm would be done. For himself, he did not hesitate to say he was in no great hurry to reform the cathedrals, because he knew that if reformed on the Report of 26 years ago, they would not be reformed as they ought to be. No harm would be done by allowing public opinion in the Church and the nation at large to mature itself before making a change in those great institutions which must decide their character for a considerable time. The fact was that the cathedrals were becoming of more importance every day; and it was becoming evident to everyone how much they might do for the Church, and how important it was that they should do it well. He was told that the Bill was supported on both sides of the House, and that both Parties would unite to a considerable extent in carrying it. But it was a surprise to him that the Liberal Party, or anyone connected with a Liberal Government, should have anything to say to a Bill like this, because he always thought that one of the vital and cardinal principles of Liberalism was that whenever they legislated, they ought to do so in the light, with the fullest information and the most thorough discussion. He did not mean that the opposite Party at all flinched from the light; but they did not, like the Liberal Party, put that argument forward.

Amendment *moved*, to leave ont ("now") and add at the end of the motion ("this day three months.")—(*The Lord Bishop of Exeter.*)

VISCOUNT CRANBROOK said, that, as a Member of the Commission, he would ask their Lordships to hear him upon the question whether the Bill should be now read a second time. He regretted that the right rev. Prelate should be found in collision with the Primate and with himself, and still more the tone the right rev. Prelate had adopted with regard to this question. When the right rev. Prelate spoke of the solemn Report of the Commission, he spoke of "the man who drew up this Paper."

THE BISHOP OF EXETER explained that what he said was, he could conceive that something of this sort should be put before the Commission by a gentleman from the outside; and it was in that way he spoke of this hypothetical gentleman drawing up the Report.

VISCOUNT CRANBROOK said, that the right rev. Prelate had not shown the respect to the Commission and its Head with which he prefaced his speech. He was, indeed, in some of his statements, very rash, and not always consistent. The right rev. Prelate assumed that the machinery created for a special and limited purpose would carry everything of substance before it; but towards the end of his speech he said he did not think the machinery at all bad in itself. He said, also, that Parliament would not have an opportunity of discussing the schemes, and towards the close of his speech that it would have that opportunity. Then, as to his charge of darkness and secrecy, what did the Commissioners do? In the first instance, they sent out papers of inquiry to the Bishops, to the Deans and Chapters, and to everyone connected with the cathedrals, and endeavoured to ascertain their opinions as to the state of the cathedrals, and any changes that might usefully be made in their Statutes. Then, when those Papers came back, the Dean and one of the Canons of the cathedral which was to be examined by the Commission attended the Commission, as Commissioners themselves, with full powers for the time being. So far, there was no secrecy as between the Commissioners and authorities of the cathedral, but everything was done openly. Subsequently, when the first process had been gone through, recommendations would be made, which would be laid before the Bishop of the diocese and the Cathedral Chapter before assuming their final form. A Report would be made upon each cathedral, and would be laid upon the Table of the House, so that the Bishops and all their Lordships would have the fullest opportunity of considering each scheme. The Report would then, either by the Commissioners or by the Dean and Chapter of the cathedral, in concert with the Commissioners, be taken before the Privy Council, where objectors would have an opportunity of opposing such Statutes as they deemed unadvisable. And, besides that, as soon as the Council came to a conclusion on the subject, the Statutes, as passed in the Privy Council, would be laid on the Table of the House. It could not be said, therefore, that opportunities would not be given for the fullest discussion; indeed, it seemed to him that this arrangement, whether invented by Liberals or by Tories, was as open a mode of proceeding as could possibly have been devised. The right rev. Prelate had spoken with approbation of the procedure of the University Commission; but the House knew comparatively little of the work of that Commission, and the opportunities for discussing its operations were no more in any degree or sense than would be given by this Bill. A great deal of attention had been given to the subject for many long years, and it was, therefore, not like a new one. The greatest disappointment had resulted from the abortive Report of the Commission that sat 20 years ago. The right rev. Prelate said that he wished for no reform at the present moment; but he himself was of a decidedly different opinion. The whole question had been considered very carefully, and each cathedral might be dealt with separately, by which means it was more likely that a rational conclusion would be arrived at, than if a number of cathedrals were included in the same scheme. It ought to be generally known that there would be a way of altering the Statutes of a cathedral. Times were changing, and circumstances required that many matters connected with cathedrals should be dealt with immediately, or, at any rate, as soon as possible. He wished that these desirable changes should be made speedily, and not adjourned *sine die;* and it was the object of the Bill to effect them. If the right rev. Prelate was, as he had hinted, in the dark, the machinery of the Bill would bring everything to light. There would be in every respect the utmost publicity, and nothing would be done without the fullest information, or without several opportunities of discussion.

On Question, That ("now") stand part of the motion? *Resolved* in the *affirmative.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

JUDGMENTS (INFERIOR COURTS) BILL.—(No. 110.)

(*The Viscount Monck.*)

SECOND READING.

Order of the Day for the Second Reading read.

VISCOUNT MONCK, in moving that the Bill be now read a second time, said, that the measure had been carefully examined in the other House, and had been passed with the approval of the Law Officers of the Crown; its object was to remove an anomaly and to redress a practical grievance. The Bill proposed that the same principle should be applied to judgments of the Inferior Courts as was applied to judgments of the Superior Courts by the Act of 1868, and that power should be given to execute the judgments of the Local Courts in any part of the United Kingdom by the system of registration provided by the Act of 1868. He moved that the Bill be read a second time, and begged to express his readiness to accept Amendments in details.

Moved, "That the Bill be now read 2ª."—(*The Viscount Monck.*)

THE LORD CHANCELLOR said, he had no objection to the principle or object of the Bill; but he had very considerable objection to the manner in which the desired object was attained by the Bill. What he objected to was that a judgment of a Local and Inferior Court should be placed upon the same footing as that of a Superior Court. The Superior Courts of each part of the United Kingdom had general jurisdiction within them, and there was no difficulty in extending it to the other parts of the Kingdom by the Act of 1868; but it was impossible to extend the jurisdiction of the Local and and Inferior Courts in the same way. The County Courts in England carried out to the extent of their jurisdiction the object sought for, by the clerk of one Court sending his warrant to the clerk of another County Court where the defendant lived for the execution of the decree. Other Inferior Courts, both in England, in Scotland, and in Ireland, had similar powers; and he had no objection to the extension of those powers to the other parts of the United Kingdom. As he understood that the noble Lord in charge of the Bill was willing to adopt a different machinery, he would not oppose the second reading of the Bill.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

PUBLIC SCHOOLS (SCOTLAND) TEACHERS BILL.

(*The Lord Privy Seal.*)

(NO. 143.) SECOND READING.

Order of the Day for the Second Reading read.

LORD CARLINGFORD (LORD PRIVY SEAL), in moving that the Bill be now read a second time, said, it was for the purpose of improving the tenure of the teachers of the board schools in Scotland. It had been alleged that in some cases there had been arbitrary dismissal of teachers in Scotland, without any notice, and at very scanty meetings of the school boards. The Bill accordingly provided that teachers should not be dismissed without sufficient notice, and only by a full meeting of the board. That was the only object of the measure, and he hoped their Lordships would read it a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Privy Seal.*)

THE DUKE OF ARGYLL said, he had no objection whatever to this Bill, which referred to a very important subject indeed. He rather congratulated the Government upon the firmness with which they had resisted the movement on the part of the public school teachers for something very like fixity of tenure. For his own part, his experience led him to say that the tenure of the old schoolmaster in Scotland partook so much of the character of fixity that it was almost as difficult to remove a parochial schoolmaster as it was to remove a clergyman; and the educational interests of parishes suffered most severely from the survival of many teachers who ought to have been dismissed. He would not say there were many such cases, but he had known some; though, on the whole, the old teachers were a most respectable body. When the present Education Act was passed, it was very properly provided that those schoolmasters who were appointed subsequently to the passing of the Act should hold their office under a different tenure, that they should be the servants of the school board, and that they should be liable to dismissal by the body which was charged with the education of the parish. The new schoolmasters desired, however, to put themselves on the same footing as their predecessors. With this object considerable pressure was brought to bear on the Education Department; but he was glad to say that Lord Spencer, then at the head of the Department, offered a very firm resistance to those proposals, although he agreed to this modified Bill, which provided that sufficient time should be allowed to schoolmasters to answer any charge which might be brought against them, and that there should be a full attendance of members of the board at the trial. That was a very reasonable and moderate proposal. He had not known any cases personally of capricious dismissal; but it was quite possible there might be such, and it was, therefore, just and proper that there should be sufficient time given to the schoolmaster to answer any charges against him, and a full attendance of the school board before so serious a step was taken as his dismissal.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

INTERMENTS (FELO DE SE) BILL.

(*The Earl Fortescue.*)

(NO. 130.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."—(*The Earl Fortescue.*)

LORD STANLEY OF ALDERLEY said, that, in his opinion, it was unwise to bring in this Bill, as he thought the present law, by which persons guilty of *felo de se* were buried without religious rights, had a deterrent effect in preventing suicide. No one supposed that the law had a deterrent effect upon those who were already upon the verge of suicide; but it had an effect on public opinion, and prevented persons not yet driven to despair from familiarizing their minds with the idea that suicide was an allowable remedy. He would, therefore, move that the Committee on the Bill should be taken on that day three months.

Amendment *moved*, to leave out ("now") and add at the end of the motion ("this day three months.")—(*The Lord Stanley of Alderley.*)

EARL FORTESCUE said, the scope of the Bill was very small. The barbarous requirement that the interment of *felones de se* should be made at four cross-roads with a stake driven through their bodies was abolished nearly 60 years ago; but by 4 *Geo.* IV., c. 62, there remained the prohibition of any religious service. The interment of a *felo de se* must take place within 24 hours after the finding of the verdict; and, as the law had been interpreted, it must be conducted between the hours of 9 and 12 at night by the police, and not by the members of the family of the deceased. A religious service approved by the Ordinary was conceded by the Burials Act of 1880, and the only practical effect of the present measure would be to enable the relatives to bury the deceased at a more convenient hour than between 9 o'clock and midnight. He did not believe that the present law had any deterrent effect, while it was very painful to relatives to think that, through an act of temporary insanity, their connections had been deprived of Christian burial. He therefore asked the House to remove the last legal vestige of a barbarous mediæval requirement.

THE EARL OF SHAFTESBURY asked their Lordships whether, in their experience, they had ever known an instance where a man or woman had determined to commit the sin of suicide, they had ever been deterred by the reflection that they would be buried by the police in the night without religious rites. All persons of any knowledge on the subject would tell them that it was perfectly ridiculous to suppose that in such a state of mind they would be troubled by the consideration of what would become of their bodies. The public generally were always disposed to attribute such acts to insanity and no other cause; and it might be shown that, though there were, no doubt, cases of *felo de se*, the majority of self-destroyers approached as nearly as possible the condition of insanity, and was, availing themselves of the notion, the reason why coroners' juries almost invariably brought in a verdict of temporary insanity. He might mention to their Lordships that in one year there were 6,000 suicidal patients confined in the public and private asylums of England; of these, only 21 succeeded in perpetrating the act of self-destruction; but of those at large no less than 1,600 had committed suicide. From this it must be inferred that care and early treatment were the best preventive against the extension of this evil.

THE LORD CHANCELLOR said, he desired to express his entire approval of the measure proposed by his noble Friend. The sole object of the present Bill was to relieve the surviving friends of those unfortunate persons who might take their own lives under circumstances in which a jury might hold the act to be wilful from the additional distress and misery which arose out of the present harsh regulations of the law, and to enable them, if they could derive consolation from the use of religious services, to have the benefit of such consolation. He was wholly unable to conceive on what reason, either of principle or of policy, that consolation could be denied them; and, therefore, he cordially supported the measure of the noble Earl.

LORD STANLEY OF ALDERLEY said, that the object he had in moving the rejection of the Bill had been partly obtained by the speech which they had heard from the noble Earl (the Earl of Shaftesbury), and insuring that the Bill should not pass without some discussion. He begged leave to withdraw his Amendment.

Amendment (by leave of the House) *withdrawn.*

Original motion *agreed to;* House in Committee accordingly.

Bill *reported* without amendment, and to be read 3^{a} *To-morrow.*

LUNACY DISTRICTS (SCOTLAND) BILL.—(No. 117.)

(*The Earl of Dalhousie.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

LORD BALFOUR said, he wished to know why it was thought necessary to give to the Parochial Boards the powers contained in the 1st clause of the Bill? It was, no doubt, the case when the powers of the Prison Boards of the various counties of Scotland expired, that it was necessary somebody should be put in their place to have the power formerly possessed by them of petitioning for the variation of the different districts into which Scotland was divided for the administration of the Lunacy Acts. It seemed to him, however, that the body more nearly representing the old Prison Boards were the Commissioners of Supply in counties or the magistrates in burghs. He should like to know why it was proposed to give the same power of petitioning to such a very small body as the Parochial Board? There were a great many such Boards interested in any lunacy district, and the reason for the proposal did not seem very plain.

THE EARL OF ROSEBERY said, his noble Friend who had charge of the Bill (the Earl of Dalhousie) was not in his place; therefore, the Committee stage would be postponed until Monday, to give an opportunity for the question to be answered.

Committee *put off* to *Monday* next.

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 22nd June, 1882.

MINUTES.]—PUBLIC BILLS—*Committee*—Prevention of Crime (Ireland) [157]—R.P. [*Seventeenth Night*]; Partnerships (*re-comm.*) [179]—R.P.

Committee—Report—Arrears of Rent (Ireland) [163-213].

Third Reading—Local Government Provisional Orders (No. 5)* [160]; Vagrancy* [199], and *passed.*

PETITION.

PARLIAMENTARY OATH (MR. BRADLAUGH).

Mr. BRADLAUGH, one of the Members for Northampton, came to the Table:—

Mr. SPEAKER reminded him that he had not taken the Oath required by Law;

Whereupon Mr. BRADLAUGH stated that he held in his hand a Petition, which he desired to present to the House.

Mr. SPEAKER informed the honourable Member that not having taken the Oath, he was not in a position to present a Petition, and directed him to withdraw; and Mr. BRADLAUGH withdrew accordingly.

QUESTIONS.

TURKEY AND GREECE—MURDER OF MR. OGLE.

MR. H. SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether it will be possible to obtain a Report of the preliminary inquiry held by the Greek Government into the murder of Mr. Ogle; and, if so, whether he will lay it upon the Table?

SIR CHARLES W. DILKE: Sir, Her Majesty's Minister at Athens was asked by telegraph whether this Report could be laid upon the Table, and has replied that it would not be right to make it public on account of its confidential nature and necessary incompleteness, as it contains no evidence, but only data for an administrative inquiry. He adds that the Report of the Commission of Inquiry is not likely to reach England before the end of July.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—P. AND W. QUINLAN.

MR. MURRAY asked the Chief Secretary to the Lord Lieutenant of Ireland, If Patrick Quinlan and William Quinlan have been recently released from Limerick Prison, where they were confined on reasonable suspicion of assaulting and wounding a person by night; whether, previous to their release, any communications were made to the person assaulted and wounded by them; and, whether it is intended to put them on their trial for the offence?

MR. TREVELYAN: Sir, these men have been released. I am not aware that any communications were made to the person assaulted, or that it is intended to put them on their trial for the offence. They were both arrested in May, 1881, and consequently had been under detention for about 12 months.

POST OFFICE—ENGINEERS' DEPARTMENT—RE-ORGANIZATION.

MR. ARNOLD MORLEY asked the Postmaster General, If it is proposed to apply to the Engineers' Department of the Post Office a scheme similar to that which was applied last year to the Commercial Department; and, in the event of its being so proposed, if he can state whether the scheme has yet been approved; how soon it is expected that it will be published, and whether it will date back to April in last year, as was the case with the scheme applied to the Commercial Department?

MR. FAWCETT: Sir, in reply to my hon. Friend, I beg to state that the scheme is settled; and, under the special circumstances of the case, instructions have already been given for putting it in force from the 1st of April, 1881, so far as concerns that portion of the branch which may be regarded as coordinate with the indoor branch of the Telegraph Service. This latter branch is what I understand my hon. Friend means by the Commercial Department.

PRISONS (IRELAND)—ENNIS GAOL.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that on the 22nd May, at the hour of six a.m. Chief Warder Sharpley, of Ennis Gaol, left that prison, taking with him the keys of a ward in which prisoners were, including some detained under the statute of Edward III.; and, whether, in consequence of the keys being taken outside the walls of the prison, the friends of one of the prisoners, Mr. Reedy, arrested under the Act of Edward III. were delayed half an hour in making their visit?

MR. TREVELYAN: Sir, I am informed that Chief Warder Sharpley was out of the prison on duty on the 22nd of May for half-an-hour between 10 and

10.30 A.M., and that the prisoner Reidy was visited during that time by two friends. The Chief Warder cannot remember whether he took the keys of the ward with him; but no complaint of any delay was made at the time.

MR. HEALY asked if it was the habit of the Governor of this gaol to use the chief and other warders for his own purposes, and if the business on which Sharpley was absent on the day in question related to the private affairs of the Governor himself?

MR. TREVELYAN said, the actual words of the Report made to him were —"No complaint was made by either visitors or prisoner." The delay must have been very trivial.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — REMOVAL OF SUSPECTS FROM LIMERICK GAOL.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state the reason which led to the removal of all suspects from Limerick Gaol; and, whether it was anything connected with their complaints against the governor?

MR. TREVELYAN: Sir, the number of persons detained under the Protection Act is considerably less than it was, and steps have been taken to reduce the number of prisons for the detention of those remaining in custody, with a view to diminishing the heavy expenditure. Consequently the prisons of Armagh, Grange Gorman, and Limerick have been discontinued as prisons for the detention of such persons. The complaints against the Governor of Limerick Prison had nothing to do with its discontinuance as a prison for the detention of "suspects."

ADULTERATION OF FOOD ACT— LARD CHEESE.

MR. MACFARLANE asked the President of the Board of Trade, What steps he proposes to take to protect the public from imposition in the matter of the new "wholesome and cheap" Cheddar and other cheese, which is composed of skimmed milk and various fats, and if he will compel the vendors of such substances to affix notices in their shops, and upon the articles, stating plainly that they are imitations, and, if possible, what they are made of, and where they are made?

MR. DODSON: Sir, I have undertaken to answer this Question, and I do not know that the Government can take any steps to protect the public from imposition in the matter of the "wholesome and nutritious" Cheddar and other cheese referred to, nor does it seem necessary that they should be empowered to do so, as proceedings are open to every purchaser in regard to the sale of adulterated articles. If a shopkeeper sells as cheese an article which contains foreign ingredients, and the purchaser is prejudiced thereby, the shopkeeper can be proceeded against—for penalties —under the Sale of Food and Drugs Act, and the seller can only protect himself by delivering to the purchaser, at the time of sale, a notice to the effect that the article is mixed.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. PATRICK O'BRIEN.

MR. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will be pleased to direct the release of Mr. Patrick O'Brien, who was arrested as a suspect on the 3rd of April of the present year, and is now confined in Enniskillen Gaol, other persons who were arrested at the same time and place, and on the same charge, having been liberated some weeks ago?

MR. TREVELYAN: Sir, His Excellency considered this man's case on the 30th ultimo, and decided that he should be detained for the present.

DOGS REGULATION (IRELAND) ACT— EXPENDITURE OF LICENCE DUTY.

MR. W. J. CORBET asked the Financial Secretary to the Treasury, If his attention has been called to the Account of Receipts and Expenditure under the Dogs Regulation (Ireland) Act, from which it appears that the amount of Licence Duty received for the year 1881 is £32,321 4*s.* 0*d.*, and the amount expended £27,607 8*s.* 4*d.*, leaving only a balance of £5,268 15*s.* 9*d.* payable to the several counties and towns, after deducting expenses; and, whether he can inform the House how it is that so large an expenditure is incurred in the collection of this Tax?

MR. TREVELYAN: Sir, the explanation is that a portion of the amount collected goes to the Petty Sessions Clerks' Fund as part-payment of their salaries, as the hon. Member will find if he consults the Petty Sessions Clerks' Act of last Session. I may remind him that the Dogs Regulation Act was not passed for the purpose of raising a tax, but for the protection of sheep.

SCIENCE AND ART—THE NATIONAL GALLERY—SALE OF THE HAMILTON PICTURES.

MR. BUCHANAN asked the Financial Secretary to the Treasury, Whether it is a fact that the Government has given the National Gallery of Ireland an extra grant of £1,000, over and above the sum inserted in the Estimates for the present year, to enable the Director to make purchases at the sale of the Hamilton pictures; and, if so, whether, considering the historical associations which connect the Hamilton Collection with Scotland, the Government will make a substantial grant to the National Gallery of Scotland, in order to retain within that Country some of these important Scottish national treasures?

MR. COURTNEY: Yes, Sir; it is the fact that an additional grant has been made to the Irish National Gallery in view of the Hamilton sale. The patriotic zeal of my hon. Friend has made him a little precipitate in suggesting that a similar grant should be made to the National Gallery of Scotland. The Trustees of that Gallery have made no application for such a grant. The truth is that they are an endowed Body, and receive an annual grant in aid, the unspent portions of which, unlike the Trustees of the National Galleries here and in Dublin, they are enabled to accumulate; and with the most laudable thrift they have, according to the last accounts I have seen, saved a not inconsiderable sum.

POST OFFICE (IRELAND)—OPENING OF SUSPECTED LETTERS.

MR. DILLON asked the Postmaster General, Whether letters are still being opened in the Irish Post Office; and, if so, what precautions are taken to insure that they are not opened by subordinate officials for curiosity or with a dishonest purpose; whether a letter addressed to Eugene O'Callaghan, of Clifton Villa, Limerick, and containing very important documents, was delivered to him opened, and a day late, on May 29th; and, whether, in such case, the Post Office authorities in Ireland refuse any satisfaction?

MR. FAWCETT: Sir, for reasons which have been often stated, the first part of the Question should be addressed either to the Home Secretary or to the Chief Secretary for Ireland. With regard to the latter part of the Question of the hon. Member, which refers to a letter addressed to Mr. O'Callaghan, I have asked for information, which, I believe, will reach me in a day or two.

THE ROYAL IRISH CONSTABULARY—REMOVAL OF PLACARDS.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether a placard calling on the people of Innishowen to encourage home manufacture was torn down by the police in Carndonagh, County Donegal, on May 28th; and, if so, on what grounds did the police act?

MR. TREVELYAN: Sir, I find that a constable of the Royal Irish Constabulary did take down such a placard in Carndonagh; but on reconsideration he posted it up again within a space of half-an-hour. He has been told by his superior officer to act with more discretion in future.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—DANIEL GRANT.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that Daniel Grant, an artizan in the town of Castleblayney, has been placed under police supervision, and for the past three weeks has been constantly followed by two sub-constables; whether he is aware that, in consequence of being watched by the police, Grant has got into trouble with his employers; and, whether there is any special reason for the action of the police?

MR. TREVELYAN: There is no person named Daniel Grant placed under police supervision in Castleblayney. The hon. Member for Wexford (Mr. Healy) asked me a similar Question on Monday last with regard to Bryan Grant of that place, and I must refer the hon. Member to the answer I then gave. The

Sub-Inspector is unable to ascertain that Bryan Grant has got into any trouble with his employers.

PEACE PRESERVATION (IRELAND) ACT 1881—ARMS' LICENCES.

Mr. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that, after the passing of the Arms Act, the Hon. M. J. French, R.M., Cashel, called a meeting of the magistrates attending the Cashel Petty Sessions at a club-room, known as the Rock Club, Cashel, at which he (the Hon. M. French) issued to the justices there assembled a request that they should abstain from signing certificates for licence to have arms where demanded, thereby completely nullifying the fourth section of the Arms Act, and whether such request has been strictly adhered to, save in one case, where the signatory happened to be the sole absentee on the occasion referred to; whether it is a fact that, at a petty sessions held at Fethard, county Tipperary, on the 22nd of May, a magistrate sitting on the bench, Major Purcell, Rowan, applied for a gun licence for his brother-in-law, Charles Blackmoor, Esq., Montlestown Castle, a gentleman holding fee simple property over £400 per annum; whether the stipendiary magistrate, the Hon. Mr. French, asked if applicant had paid his rent; and whether, on being informed that Mr. Blackmoor had no rent to pay, the application was refused, on the grounds "that he (Mr. French) had heard that Mr. Blackmoor had attended Land League meetings;" whether it is true that a farmer, named John Quigley, tenant to Richard Pennefather Lloyd, county Roscommon, who holds property in the county Tipperary, applied for a gun licence at the Fethard Petty Sessions held on the 22nd May; whether, in a catechetical examination, which the Hon. M. J. French has adopted, it was elicited that the applicant had paid his rent, but, owing to an error of deducting the poor rates on the valuation and not on the rent paid, a trifling sum of three shillings and fourpence remained due; and, whether, until such trifling sum was paid, the stipendiary magistrate refused to grant a licence, notwithstanding that the tenant and landlord are on the most friendly terms, as appeared from the letter of the landlord to tenant, produced?

Mr. TREVELYAN: Sir, I have called for an answer to this, but have not yet received it. Notice was given on the 19th instant, and the Question appeared in the Votes on the morning of the 20th instant.

Mr. DILLON said, he would repeat his Question on Monday.

ARMY—SALE OF GOVERNMENT RIFLES.

Mr. FINDLATER asked the Secretary of State for War, Whether between one and two hundred thousand Government rifles were sold by the War Department in the year 1878 to a person of the name of Hill, in Sheffield, and by him shipped to Ireland and sold in the course of the year 1879; whether the Irish Government urged the War Department to repurchase these arms, so as to prevent their unadvised distribution in Ireland; and, what reply was made by the War Department to that application of the Irish authorities?

Mr. CHILDERS: Yes, Sir; between 100,000 and 200,000 muzzle-loading rifles were sold by the War Department in 1878. There were 21 purchasers, but I do not find the name of Hill among them; nor has the War Department any knowledge as to what became of these rifles after delivery to the buyers. As to the two last Questions, there was some correspondence between my Predecessor and the late Irish Government on this subject after the sale; but as it resulted in nothing I do not think that any public advantage would be gained by describing what passed.

THE MAGISTRACY (IRELAND)—COLONEL FORBES, R.M.

Mr. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that, when Colonel Forbes, R.M., was stationed in Kildare, he was in the habit of sending forward from his court to the assizes all sorts of petty cases; and, though it was part of his official duty to attend the assizes, that he charged for the expense of his attendance in these cases, and thus procured large sums to which he had no right; whether at this time the witnesses' expenses for Kildare Assizes became so large that the attention of the Government was directed to the matter, and an investigation was instituted;

whether such investigation resulted in the discovery of the practice of Colonel Forbes, whose conduct was reported; and, whether he has ever been called upon to refund the money so obtained?

MR. TREVELYAN: Sir, Mr. Seed, Crown Solicitor for Kildare, one of the most experienced Crown Solicitors in Ireland, informs me that he never remembers Colonel Forbes having sent forward any cases of a petty nature to Assizes, unless in the event of any difficulty arising as to the evidence; or of the Quarter Sessions not being held at a period in which such cases might have been tried, and the Assizes being the first available tribunal. In some instances it was considered necessary to allow Colonel Forbes moderate expenses when he was detained at the Assizes, and in only one instance does the Crown Solicitor recollect Colonel Forbes being called on to refund some £3 or £4, to which it was considered he was not entitled. The motive of the investigation referred to in the latter portion of the Question was not such as there indicated. In 1878 the system of auditing the accounts of county treasurers throughout Ireland was changed by Order in Council. They are now audited by the Local Government Board auditors, and the witnesses' expenses for the county have been greatly diminished; but this had nothing whatever to do with Colonel Forbes. I always endeavour to answer these Questions in a business-like and unargumentative way; but I must point out to the House that there is an increasing practice of putting Questions which imply personal discredit on able and zealous public servants engaged in the maintenance of order in Ireland.

MR. REDMOND said, that, in view of the arbitrary powers about to be conferred upon Irish officials, he deemed it his duty to press the matter further, and to ask some further Questions upon it.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—SEARCH OF SUSPECTED PERSONS.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that, on Sunday the 11th instant, Constable Moloney, of Murroe, in the county of Limerick, stopped three young men on the public road and searched them, without producing any warrant or other authority for so doing; and, if so, under what authority the constable acted on this occasion?

MR. TREVELYAN: On Sunday, the 11th instant, Constable Moloney, of Murroe, county Limerick, did stop three men, and searched them, with a view of ascertaining whether they had masks or other disguise in their possession. He was, at the time, in search and pursuit of five disguised and armed men seen at the place, who, on the same evening, had presented double-barrelled rifles at the Rev. Mr. Howard, Roman Catholic curate, and other occupants of an outside car on the public road, near Cappamore.

EGYPT—ENGLISH MEMBERS OF THE CIVIL SERVICE—SALARIES.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, If his attention has been called to the rate of pay secured to English and other Foreign members of the Egyptian Civil Service, as compared both with the remuneration of similar functionaries in their Native Countries and with the limited resources of Egypt; whether he has noticed, in the Paper, Egypt, No. 6, of the present Session, that, besides the English Controller General, who receives nearly £4,000 a-year, the English member of the Committee of the Survey Board receives £1,500 a-year, the English Inspector General of Lighthouses receives nearly £1,700 a-year, and an English Deputy Inspector General nearly £1,100 a-year, an English President of the Railway Board £3,000 a-year, there are many other highly paid officials in the Egyptian Service; whether these posts are unnecessarily multiplied, and capable of being filled by much fewer officials; whether Government could select trustworthy English officials, who would discharge the necessary duties for one-third or one-fourth of the above emoluments; whether the high salaries of European officials in Egypt are a source of grave dissatisfaction among the native population; and, whether Her Majesty's Government, with a view to peace and tranquillity in Egypt, will set the example of diminishing the number of Foreign functionaries as much as possible, and choosing as functionaries a less expensive class of officials?

SIR CHARLES W. DILKE: Sir, the English officials in Egypt, with the exception of the Controller, were selected by the Egyptian Government, who, in a few cases, asked Her Majesty's Government to recommend fit persons. I am not in a position to state whether the posts referred to by the hon. Member are capable of being reduced in number. There is reason to doubt whether efficient and experienced men could be found to give up their prospects in England and take service under the Egyptian Government, unless the inducement of higher rates of salary than they can obtain in this country were offered to them. Articles have appeared in some Egyptian newspapers, objecting to the high salaries of European officials; but I have no official information on this point. Her Majesty's Government, as I have already stated, have no control over the number or salaries of the foreign officials employed in Egypt.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether it is true that the European population of Egypt have been practically exempt from the payment of taxes; and, whether Her Majesty's Government have recommended the cessation of this exemption?

SIR CHARLES W. DILKE: As regards taxation, the foreigner in Egypt stands, legally, in the same position as the Native inhabitant, except that the Capitulations exempt him from the capitation tax or tribute. This tax is, however, no longer levied in Egypt; but, in regard to the rest, there can be no question as to his liability, and this liability can be enforced by the Egyptian Government in the International Courts. I believe attempts have been made by foreigners to evade the payment of their land tax, and that the Egyptian Government have occasionally had recourse to vigorous measures to recover the amounts due. Her Majesty's Government have uniformly supported the Egyptian Government in their endeavours to resist the pretension of British subjects claiming exemption from taxation.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether complaints have been made to Her Majesty's Government of the manner in which some of the British officials in the Egyptian Administration have been accustomed to treat their Egyptian colleagues; and, whether he will inquire into the matter?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have not heard of any such complaints, and I do not consider it necessary to make any inquiry on the subject.

LOCAL MANAGEMENT ACT, 1855—ELECTION OF VESTRYMEN (PADDINGTON).

MR. FIRTH asked the President of the Local Government Board, Whether it is the fact that at the recent election of Vestrymen in Paddington the provisions of the Local Management Act, 1855, were entirely disregarded by the authorities of the parish, both as to the secrecy of the ballot and the method of voting, and whether, notwithstanding such irregularities, the authorities refuse to permit a scrutiny; and, whether, since the provisions of the Act are being violated all over the Metropolis, he is prepared to suggest the establishment of any authority able to control the action of these local bodies and to insure the enforcement of the Law?

MR. DODSON: Sir, representations have been made to me that at the recent election of vestrymen in Paddington the provisions of the Local Management Act, 1855, were disregarded by the authorities of the parish; but I have not inquired into the facts, as the Local Government Board have no jurisdiction whatever as regards these elections. No doubt, if, as alleged, the provisions of the law are generally violated all over the Metropolis, it is desirable that steps should be taken to remedy the evil; and the most fitting opportunity for doing this would appear to be when a Bill is introduced dealing with the question of the Local Government of the Metropolis.

THE MAGISTRACY (IRELAND)—RESIDENT MAGISTRATES.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, If the period for which the special resident magistrates were appointed expires on the 24th inst.; whether it is the intention of Government to renew these appointments; and, whether they have failed to effect the object in view, namely, the pacification of the country?

MR. TREVELYAN: No, Sir; the period of these appointments does not expire until the 1st of July. It is the intention of Government to continue the appointments for the present, and they would not have arrived at this determination were they not satisfied that such appointments are useful in the present condition of the country.

MR. HEALY: Does that remark apply to Major Bond?

MR. TREVELYAN: Major Bond is not a Special Magistrate.

CRIME (IRELAND)—RETURNS OF OUTRAGES.

MR. BELLINGHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If he would have any objection to lay upon the Table of the House a Return of all murders of tenants, herds, and caretakers; also of all cases of mutilation of men and beasts since the month of June 1880?

MR. TREVELYAN: Sir, I do not quite understand whether the hon. Member wishes the information to be given in detail, or whether he wishes it to be confined to agrarian cases. If he merely wants a numerical Return I can give it him now. Since the 1st of June, 1880, there have been 19 cases of murders of tenants, herds, and caretakers; there have been 213 cases of cutting or maiming the person, including non-agrarian cases; and there have been 598 cases of killing, cutting, or maiming cattle, including non-agrarian cases. If the hon. Member wishes to have the agrarian cases taken out, I will do so, and give the Return on Friday. I interpret the expression "murder of tenants" to mean murder of occupiers of agricultural holdings, from agrarian motive.

ARMY—DRUNKENNESS—LEGISLATION.

MR. CAINE asked the Judge Advocate General, If it is his intention to introduce any Bill dealing with those "low public houses," to which he ascribes the lamentable fact that 23,255 men, out of a total of 180,000 constituting the British Army, have received 43,656 punishments for drunkenness in a single year, besides many other punishments for crime and insubordination committed under the influence of liquor?

THE JUDGE ADVOCATE GENERAL (Mr. OSBORNE MORGAN) said, that, however desirable it might be to suppress "low public-houses" where adulterated spirits were sold to soldiers or other people, he was not aware that it was part of his duties as Judge Advocate General—which he could assure his hon. Friend were quite heavy enough as it was—to bring in a Bill for that purpose; and he must, therefore, leave that task to his hon. Friend, and to those Members who made it a part of their Parliamentary mission to control that kind of property.

MR. CAINE said, he would bring in a Bill to deal with the subject.

POLYNESIA—KIDNAPPING IN THE PACIFIC.

MR. CROPPER asked the Under Secretary of State for the Colonies, Whether Her Majesty's High Commissioner in the Pacific has made any specific allegations, against Queensland labour vessels, of complicity in kidnapping or other outrages in the South Seas; and, whether he has complained of the inadequacy of the means placed at his disposal for the detection and punishment of such outrages?

MR. METGE asked the First Lord of the Treasury, If his attention has been called to the terrible state of affairs in Northern Queensland as described by Mr. Wisher in the current number of the "Fortnightly Review," and further noticed by the "Pall Mall Gazette" for Saturday last; to the process of colonisation by massacre carried on by English pioneers of civilisation; the system of labour traffic, "little better than organised slavery;" the ruthless and brutal murders committed on the native population; the wholesale violation of the native women; a brutal crusade openly and deliberately preached by the newspapers of the North; and, whether he could take any steps to prevent the slavery and extermination of the Aborigines of the Antipodes?

MR. O'DONNELL asked the Under Secretary of State for the Colonies, Whether his attention has been called to the prevalence of a system of impressing South Sea Islanders as "indentured voluntary labourers" in Australia, which is stated to be practically identical with most cruel slavery; whether the indentured labourers are in many cases kidnapped from their native islands; whether the remuneration due to them under their "contracts" is only paid on the termination of the same, and whether, in the case of the death of a labourer previous to the termination of a "contract," his employer saves the amount of his wages for the term of years; whether this practice acts as a premium upon working the "indentured labourers" to death within the term for which they would otherwise be paid; and, what steps he intends to take in reference to the matter?

Mr. EVELYN ASHLEY: Sir, I regret that it is impossible, within the compass of an Answer to a Question, adequately to treat the series of complicated subjects contained in the three Questions of the hon. Members. I only mention this, in order that, if I pass quickly over many points, it may not be supposed that the Colonial Department view with any indifference the painful and pressing matters involved. I have seen the Paper referred to in the Question of the hon. Member for Meath (Mr. Metge). There is much that is true, although official information does not bear out by any means to the full extent the statements made. The Paper and the Questions embrace three different subjects of inquiry—(1), the treatment of the aborigines in Queensland; (2), the recruiting of labourers in Polynesia; (3), their treatment when brought to Queensland. As to the first and third, I would remark that their regulation rests with the Government of Queensland; but Her Majesty's Government have been constantly in communication with the Colonial Government, urging them to take and strengthen measures for the protection of the natives. The local instructions to the coloured police, who are in the Paper referred to credited with a great amount of the outrages, are to the effect that they should—

> "As much as possible avoid collision with the aborigines, and pursue generally such a line of conduct as will convince them that, although punishment for depredations committed will surely and quickly follow, to live peaceably with the settlers will always insure their protection."

With reference to the evils, gross and crying, which have in the past arisen from the mode of payment of wages indicated in the Question of the hon. Member for Dungarvan (Mr. O'Donnell), I am happy to state that Section 21 of the Queensland Pacific Island Labourers' Act of 1880 provides that the wages of every labourer shall be paid at the expiration of each six months of his engagement. If this is observed many of the abuses referred to will be stopped. In Fiji almost all abuses are absent, owing to the action of Her Majesty's Government. As to the recruiting of labourers by labour ships in Polynesia, Her Majesty's High Commissioner, Sir Arthur Gordon, has not made any specific allegation against Queensland labour vessels; but he has complained of the inadequacy of the means placed at his disposal for the repression of these outrages, and the Colonial Office are only awaiting his arrival in this country, which is very shortly expected, to confer with him and settle what new or further measures shall be adopted.

Mr. METGE wished to know whether Queensland was not a Crown Colony, and, therefore, under the control of Her Majesty?

Mr. EVELYN ASHLEY: No, Sir.

AFRICA (SOUTH)—ZULULAND—REPORTED FIGHTING.

Sir WILFRID LAWSON asked the Under Secretary of State for the Colonies, Whether he can give the House any information as to the War which is reported to have broken out in Zululand; and whether he can explain how it is that the Zulu Papers lately delivered gave no account of the interview between Sir Henry Bulwer and twenty-one chiefs, which took place on 7th May last?

Sir HENRY HOLLAND asked the Under Secretary of State for the Colonies, Whether the accounts of the disturbances in Zululand are substantially correct; whether it is true that the British Resident has been compelled to leave his official residence; and whether it is intended that he should remain in Zululand?

Mr. EVELYN ASHLEY: Sir, we have had no information corroborating the statement that war has broken out and fighting begun. On the 7th instant, Sir Henry Bulwer telegraphed that Mr. Osborne reported that Oham and Umyamana were arming; that he feared a collision between them, and that he thought the movement proceeded from the ex-King party. Sir Henry Bulwer had instructed Mr. Osborne to mediate and endeavour to avert a collision. On the 17th Sir Henry Bulwer telegraphed that Mr. Osborne's reports were still unsatisfactory, though not hopeless. Mr. Osborne was of opinion that the movement was directed by the Cetewayo party against the two Chiefs, with the view, if successful, of setting up Dabuko as King or Regent. And on the 20th Sir Henry Bulwer telegraphed that he had received a report from Mr. Osborne, dated the 13th instant, which was more hopeful, but that the position of affairs was still serious. I think we may presume that the newspaper accounts are inaccurate as to fighting having actually begun, as the official telegrams are later. It does not appear to be true that the British Resident has been compelled to leave his official residence, and he will, of course, remain in Zululand. The Papers to which the hon. Baronet refers were accidentally omitted.

MR. DAWNAY said, that in consequence of the answer of the Under Secretary for the Colonies he would postpone the Question of which he had given Notice until further information was received.

SIR WILFRID LAWSON asked, as a point of Order, whether the following sentence in the Question standing in the name of the hon. Member for the North Riding of Yorkshire (Mr. Dawnay) was in accordance with rule? The hon. Member asked whether Her Majesty's Government—

> "Will take those speedy and active measures to support the authority of John Dunn and the other loyal chiefs which can alone avert a general Civil War in Zululand?"

The Question also contained an expression of opinion, the last clause asking for the appointment of Colonel Gordon as Administrator of the Zulu country,

> "Taking into consideration the frequently-expressed wish of the Zulu people that they should be brought under the direct control of the British Government."

It appeared to him (Sir Wilfrid Lawson) a Question of that nature ought not to appear on the Papers of the House.

MR. SPEAKER: I am bound to say that the remarks in question are not regular.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—PATRICK M'GINN.

MR. GIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether inquiry has been made into the charge on which Patrick M'Ginn, who is now a suspect in Dundalk Prison, was arrested; and, whether there is any reasonable grounds for his further detention.

MR. TREVELYAN: Sir, this man has been let out for a week on parole on his own application.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—DENIS MULLIGAN.

MR. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the case of Denis Mulligan, of Kilrea, in the county of Longford, imprisoned as a suspect in Kilmainham Gaol since the 17th of January last; and, whether, considering the character of the man and the peaceful condition of the county, he will not recommend Mr. Mulligan's release?

MR. TREVELYAN: Sir, Denis Mulligan's case was considered by the Lord Lieutenant on the 8th instant, who decided then that he should be further detained for the present. The case will be soon again reconsidered.

ARMY—CLERKS OF ARMY AGENTS.

MR. W. J. CORBET asked the Secretary of State for War, Whether he has had before him an application for an allowance to be made to the members of the Clerical Staff of Messrs. Cane and Sons, until recently Army Agents, in the same manner as an allowance was made to the gentlemen similarly situated at the termination of the agency of Boroughs and Co.; and, whether he will make any representation to the Treasury on the subject?

MR. CHILDERS: Sir, in reply to the hon. Member, I have to state that there is no analogy whatever between the case of Sir Edward Boroughs' clerks in 1872, and that of Messrs. Cane's clerks now. When certain changes were formerly made in Sir Edward Borough's duties under special circumstances, described in Parliamentary Paper 135, of 1872, and 331, of 1874, gratuities were given to some of his clerks; but both Sir Edward Borough and Mr. Cane were distinctly informed in 1875 that on their deaths the agencies they held would cease. At Sir Edward

Borough's death, in 1879, his clerks petitioned my Predecessor for gratuities, but they were refused. Mr. Cane has sold his business to another firm, and if he has not provided for his clerks, it is no affair of the War Office. I have no intention to make any application to the Treasury on their behalf.

INDIA—NATIVES OF INDIA—EXCEPTIONAL LAWS.

Mr. O'DONNELL asked the Secretary of State for India, Whether the exceptional laws passed against natives of India, in the first years of this century, still remain unrepealed, by which, on a warrant from the Governor General of India, or a Lieutenant Governor, or Governor of a Presidency, any native of India can be imprisoned during the pleasure of the Government without trial, and the property of any native of India may be seized and sequestrated by the Government similarly during pleasure; and, whether, if so, he intends to propose the abolition of such measures?

The Marquess of HARTINGTON: Sir, the Question does not specify the regulations in respect of which information is asked for; but it is the fact that under laws which deal with political offences the Governor General and the Governors of Madras and Bombay in Council possess a power of imprisonment, without trial, for political offences. The property of such prisoners may be taken charge of and be administered by the Court of Wards; but there is nothing of the nature of confiscation in this proceeding; and the Court accounts for the proceeds to the proprietors of the estates. I am not prepared to say that these powers could be safely abandoned.

Mr. O'DONNELL asked whether it was to be understood that any native of India could be deprived of his liberty and property by the simple order of the Viceroy, or of the Governors of Provinces, without being entitled to demand a trial?

The Marquess of HARTINGTON said, he believed that that was so; but he could not undertake to answer without Notice as to the cases in which this power had been exercised. The power existed under a regulation passed at the beginning of the present century. It was proposed to repeat this power in the Statute introduced lately for the codification of the general law; but on representation to the Home Government, it was considered that the matter could not be appropriately introduced into that consolidating Statute.

EGYPT—THE POLITICAL CRISIS.

Mr. JOSEPH COWEN asked the Under Secretary of State for Foreign Affairs, If the Government have received information of the formation of a new Egyptian Ministry; and, if they have recognised it; and, if the Government can state how many British subjects have left Egypt since the riot in Alexandria?

Sir CHARLES W. DILKE: Sir, Her Majesty's Government have not recognized the new Egyptian Ministry, but have instructed Sir Edward Malet, while carefully abstaining from any engagement or any expression which could be understood to constitute one, to limit his communications to questions affecting public safety. The French Consul General will act in the same way. I am not able to state the number of British subjects who have left Egypt.

Mr. JOSEPH COWEN: Have the majority gone to Cyprus?

Sir CHARLES W. DILKE: The majority appear to have gone to Malta. I have not received figures on the subject.

Sir STAFFORD NORTHCOTE: I should wish to ask the Under Secretary for Foreign Affairs whether anything has occurred to induce Her Majesty's Government to alter their view as to the number of persons who were murdered in the disturbance at Alexandria? It was originally stated that the number was 50.

Sir CHARLES W. DILKE said, he had sent for further information on the subject, but had not yet received a reply. He understood, however, that, in addition to the six British subjects stated to have been killed in that disturbance, there were two others.

Mr. O'KELLY asked whether the hon. Gentleman would have any objection to state the exact number and the religion and nationality of the persons killed during the disturbance?

Sir CHARLES W. DILKE: No, Sir; I am afraid it would be almost hopeless to do so. For instance, there are in Alexandria a great number of Greeks. who are Greeks by race and Christians by religion, and that wear either European or Greek dress, and who are Turkish subjects, and who could not be included in any return of foreigners, although very likely they would take the foreign side in any riot.

MR. CHAPLIN asked whether the hon. Baronet was able to state that the information published in the newspapers to the effect that several hundreds of persons were killed during the disturbance was incorrect?

SIR CHARLES W. DILKE said, he had already stated that he had received no precise information on the point, but that he had reason to believe that the number of Europeans killed did not exceed 50.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, What is the text of the Protocole de Désintéressement which is to be signed by the Powers taking part in the Conference; and, whether Her Majesty's Government, by signing that document, would not jeopardise the preponderance which, having in view the fact that English interests in Egypt are far greater than those of any other nation, England should possess in that Country?

SIR CHARLES W. DILKE: Sir, the draft of the proposed Protocol is in the same sense, though not in precisely the same words, as the Protocol signed at Constantinople on the 21st of September, 1880, and presented to Parliament in Papers—"Turkey No. 3, 1881." With regard to the concerted action of the Powers for the execution of the Treaty of Berlin, Her Majesty's Government do not consider that it would in any degree weaken the position that this country is entitled to in Egypt. A similar Protocol was signed in 1840 by Lord Palmerston, as Plenipotentiary of Great Britain, and by the Plenipotentiaries of Austria, Prussia, and Russia, at the time of the pacification of the Levant and the settlement of the future condition of Egypt.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the following statements, viz.:—From the Correspondent of the "Times" in Constantinople:—

> "In the course of conversation with each of the Ambassadors, Said Pasha gave an unequivocal, categorical refusal to the Conference proposal, on the grounds that such an assembly is unnecessary, inopportune, and inconsistent with the interests of Turkey. The Egyptian Question, he added, might be considered as settled by the compromise which had been accepted by the Khedive and Arabi Pasha, and approved by Dervish Pasha;"

whether the compromise referred to was made under the pressure of the Consuls General of Austria and Germany; from the Correspondent of the "Daily Telegraph" describing an interview with Said Pasha, the Turkish Foreign Minister, in which the latter said:

> "If not interfered with we can yet settle everything quietly and easily. Why should we accept a Conference, having seen so many held with no good results, but rather intrigues and ambitions which have only caused fresh trouble. We desire to be treated justly, and to have our rights recognised, as we are ready to recognise the rights of others. We have said that England and France committed an error (bêtise) in twice sending fleets to Alexandria without first consulting us; if they hazard this last blunder (i.e., a Conference) it will be 'le couronnement de la bêtise;'"

whether Her Majesty's Government will now carry out a clearly defined and independent British policy in order to secure the influence of England in Egypt and the security of the lives and property of British subjects, and to preserve the friendship of Turkey and of the Mussulman populations of the East?

SIR CHARLES W. DILKE: Yes, Sir; I have seen the statements in question. It was on the advice of the Austrian and German Consuls General that the Khedive sent for Ragheb Pasha and intrusted the formation of a Ministry to him. Probably they had in view the temporary protection of European life and property. Her Majesty's Government are carrying out a clearly-defined policy in order to secure the influence of England in Egypt, and the security of the lives and property of British subjects.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that Her Majesty's Government are promoting a Conference against the strong opposition and protest of the Sultan, who is Sovereign of Egypt and head of the Mahometan world, and who has undertaken to restore order and the status quo ante in Egypt; whether, out of the six Powers who would take part in a Conference two, Austria and Germany, have, through their Consul-Generals in Egypt, pressed upon the Khedive the formation of a Ministry in which Arabi Pasha holds both the Ministries of War and Marine, notwithstanding the fact that Her Majesty's Government and that of France have formally demanded the deposition and exile of Arabi; whether it is a fact that the Italian Government are strongly opposed to French intervention or to the control by France of Egyptian affairs, and that the Russian Government are opposed to British influence in Egypt; and, whether, in view of these considerations, Her Majesty's Government will abandon their project of holding a Conference of the Powers, will adopt a resolute and independent British policy, and will revert to the traditional alliance with the Ottoman Government in order to end the crisis in Egypt and to secure the great interests of England in the East?

SIR CHARLES W. DILKE: Sir, except so far as I have already answered portions of this Question in reply to the hon. Member's preceding Question, I am quite unable to reply to the interrogatories now administered to me, which raise many points of controversy. Her Majesty's Government are going into Conference with a clearly-defined policy, as will be seen when the instructions which have been addressed to Lord Dufferin come to be laid before the House. The Papers up to the 15th of May will be distributed to-morrow, and the Papers up to the end of May are now in preparation, and may, I hope, be distributed early in the week after next.

MR. ASHMEAD-BARTLETT: When will the instructions to Lord Dufferin with regard to the Conference be laid before the House?

SIR CHARLES W. DILKE: There are two sets of instructions to Lord Dufferin with regard to the Conference. The later set it would not be desirable at present to lay on the Table. Probably we shall be able to produce them in a short time.

MR. ASHMEAD-BARTLETT: When will the Conference be held?

SIR CHARLES W. DILKE: It was stated on Tuesday that the Conference would meet to-day, and I have no fresh information on the subject.

MR. GOURLEY asked the Under Secretary of State for Foreign Affairs, What provision has or can be made by Her Majesty's Government for the hearing of causes pending before the Consular Court in Egypt, and which, but for the disturbed condition of the country, should already have been heard?

SIR CHARLES W. DILKE: Sir, we have not received any special report from Mr. Cookson; but I am happy to say that he is now nearly recovered, and the hearing of causes will, no doubt, be proceeded with as soon as the state of affairs will admit.

SOUTH AFRICA — CETEWAYO, EX-KING OF ZULULAND—VISIT TO THIS COUNTRY.

MR. D. GRANT asked the Under Secretary of State for the Colonies, If he will state what steps have been taken with respect to the future position of Cetewayo; and, whether the idea of permitting him to visit England has been altogether abandoned; and, if so, is it the intention of Her Majesty's Government to retain him in his present position?

MR. EVELYN ASHLEY, in reply, said, that no new steps had been taken to change the position of Cetewayo. With reference to the second part of the Question, the Papers were already on the Table, which showed that his visit had been merely postponed, and not altogether abandoned.

INDIA—SOUTHERN MAHRATTA RAILWAY.

MR. FRESHFIELD asked the Secretary of State for India, If he has any objection to produce and lay upon the Table, any Correspondence which has passed between himself and the Government of India and the promoters, with reference to the formation of the Southern Mahratta Railway Company, including a letter from the Viceroy of India in Council, in the Railway Department, to the Secretary of State, dated the 1st October 1881?

THE MARQUESS OF HARTINGTON: No, Sir; I have no objection if the hon. Member will move for it

PARLIAMENT—PRIVILEGE—REPORTS OF SELECT COMMITTEES.

MR. BIGGAR asked the Under Secretary of State for the Colonies, as Chairman of the Select Committee on Railways, If he can account for the publication by the daily newspapers of the Draft Report of Mr. Barclay, before it had been read a second time by the Committee on Railway Rates, &c.; if he can state in what newspapers that Report had been, in the first instance, published; and, if he can inform the House by what means the "Times" and "Daily News" were enabled on Saturday morning last to publish the proceedings of the Railway Rates Committee on the previous day, and a summary of the grounds upon which that Committee rejected the Report of the Chairman of the Committee in favour of that of the honourable Member for Forfarshire?

Mr. EVELYN ASHLEY said, he could only answer the Question of the hon. Member in the same terms as those of his answer to a similar Question on Tuesday.

NAVY—COLOUR SERGEANTS OF MARINES.

Captain PRICE asked the Secretary to the Admiralty, If it is the case that the maximum pension of Colour Sergeants of Royal Marines is only 2*s.* 3*d.* whilst that of Colour Sergeants of the Army was fixed by the Royal Warrant of June 25th, 1881, at 2*s.* 6*d.*; what is the reason for this; and, do the Admiralty contemplate assimilating these two pensions in the two services?

Mr. CAMPBELL-BANNERMAN: Sir, I find that the main fact stated in the hon. and gallant Gentleman's Question is correct; but the conditions under which the maximum rate of pension is attained are not identical in the two Services, and it must be borne in mind that the marine is eligible for all the benefits of Greenwich Hospital, while the soldier has nothing but his pension to look to. Moreover, the Admiralty do not recognize any rule of absolute uniformity between the two Services, but consider each case on its merits.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—AMERICAN CITIZENS DETAINED UNDER THE ACT.

Baron HENRY DE WORMS asked the First Lord of the Treasury, Whether any of the suspects now in Kilmainham, or any other prisons in Ireland, are citizens of the United States; and, if so, whether the United States Government refuses to agree to their expulsion from Ireland as a condition of their release; and, whether he is aware of any reason why the Government of the United States should object to the proposal of Her Majesty's Government to expel from Ireland such American citizens as are suspected of treasonable practices there, although last year it ordered, at the request of the Porte, an American citizen, Mr. W. S. Stillman, correspondent of the "Times" at Crete, to "leave this island and never return to it," merely on the ground that his presence was a "cause of agitation" there?

Sir CHARLES W. DILKE: I believe, Sir, that there are United States' citizens imprisoned in Ireland; but the previous Questions upon this subject have been addressed to the Chief Secretary to the Lord Lieutenant or to the Home Secretary, to whom I must refer the hon. Member. There is no information in the Foreign Office with regard to Mr. Stillman's expulsion from Crete. Almost all Foreign Powers, including Turkey, have the power to expel aliens.

THE CHANNEL TUNNEL SCHEME.

Mr. BROMLEY DAVENPORT asked the First Lord of the Treasury, When the Report of the Military and other authorities appointed to inquire into the question of the proposed Channel Tunnel will be laid upon the Table, and whether it is likely that the opportunity will be given to Parliament of expressing its opinion on this important subject?

Mr. CHILDERS: Sir, my right hon. Friend has asked me to answer this Question. The Report of the Scientific Committee was received some days ago, and has been referred, with the previous Papers, to the Commander-in-Chief, as the military adviser of the Government. The Duke of Cambridge informed me to-day that his Report will be ready soon. As soon as it is received the whole question, in all its bearings, will be considered by Her Majesty's Government, and they will communicate to Parliament the opinion at which they may arrive with reference to the Bills now before the House. Until then those Bills will not be proceeded with, and without further legislation no powers exist under which the Channel Tunnel could be constructed. When the Papers are complete, we will consider which of them can with propriety be laid before Parliament, but some are necessarily of a highly confidential character. The question is an extremely serious one, upon which no hasty decision should be arrived at.

EGYPT—THE SUEZ CANAL—THE FRESH WATER SUPPLY.

Mr. CHAPLIN asked the First Lord of the Treasury, Whether it is the case that the maintenance of the stations upon the Suez Canal, the regulation of its traffic, and, practically, the use of the Canal itself, is absolutely dependent upon its fresh water supply; whether that supply is not mainly, if not solely, derived by means of a fresh water canal from a point on the Nile adjacent to Cairo; whether the continuance of that supply is within the power of the authorities (for the time being) at Cairo; whether fresh water in adequate quantities can be provided from any other source; and, if not, whether Her Majesty's Government have taken, or are taking, measures to command the necessary fresh water supply, and to insure the protection and maintenance of the Canal?

Sir CHARLES W. DILKE: Sir, a supply of fresh water is, of course, indispensable for the administration of the Suez Canal. My reply to the second and third branches of the Question is in the affirmative. In case of a temporary interruption of the supply from this source, means can be taken for insuring a sufficiency of water. This matter has been considered by Her Majesty's Government and the Directors of the Suez Canal Company.

Mr. CHAPLIN: Will the hon. Baronet inform us by what means?

Sir CHARLES W. DILKE: I do not think it desirable to answer that Question. I have no objection to inform the hon. Member privately.

Mr. CHAPLIN: Then, Sir, I must take a course which I regret—that of moving that this House do now adjourn. I am bound to say that this question appears to me to be of such vital importance to the interests of the whole Empire that the House of Commons has a right to know how and by what means the supply of water which the Government authorities tell us is absolutely indispensable to the maintenance of the Suez Canal can be supplied. The Government have just informed us—[*Interruption.*]—I entreat the courtesy of hon. Members, for it is very seldom I have taken such a course as this, nor should I think of doing so except under a sense of great responsibility. [*Ironical cheers.*] I can assure hon. Members I shall feel it my duty to press upon the House what I have to say on this question. Now, Sir, the Government have informed us that means can be taken with which they are satisfied; but I am bound to say that the results of the Government policy in Egypt up to the present time have not been such as to give me overwhelming confidence in them, and I ask permission to place before the House what I believe to be the facts of the situation. I am quite sure hon. Gentlemen on both sides will agree with me that this is a matter of immense importance. Sir, the Suez Canal runs from sea to sea, through a sandy waste, in which not one single drop of fresh drinking-water can be obtained except from a great distance many miles from one side, and not less than 500 miles from the other; consequently, Port Said, Ismailia, and Suez, and all sidings and stations on the Canal, are absolutely dependent for their supply on water conveyed to them from a great distance. These stations, with their staff and regular officials, are stationed at intervals all along the banks of the Canal, and they are absolutely dependent on this water which is conveyed to them. It is not too much to say that the use of this Canal would be practically destroyed if anything happened to the supply of fresh water to these stations. The sole supply at the present moment is obtained by means of the fresh water canal, through which water from the Nile is supplied direct to Ismailia and Suez and to the stations between those two places, from a point on the Nile quite close to Cairo itself. The remaining stations between Port Said and Ismailia are supplied in this way. There is a large pumping station at Ismailia, and from there the water is pumped into iron pipes, which, I am informed, can be easily injured or broken, and conveyed by these means to Port Said and from thence to other places. This fresh water canal, upon which the whole of the supply depends, itself receives, as I have said, its water from a point upon the Nile, a place called Boulak, quite close to Cairo itself. There are gates across the mouth of the Canal, which can be opened or shut at pleasure. There also are six locks on the Canal. But, whether that be so or not, it will be the easiest thing in the world, either by cutting the banks of the Canal or by making an embankment across it, to divert the water upon which Port Said, Ismailia, Suez, and all the intervening stations, some 10 in number, absolutely and entirely depend. It is quite obvious that whatever Power is dominant in Cairo can, by cutting off the supply of fresh water, practically control and render impossible the working of the Canal. ["No, no!"] If hon. Gentlemen are prepared to dispute those facts, let them get up and do so; but if they are true, it is a matter of the most absolute importance. Arabi Bey is dominant at Cairo at the present time, and I believe the plain fact at the present time to be this—that with regard to the Suez Canal he is absolutely master of the situation, and that so far as British interests are centred in that great highway to India they are absolutely dependent on him. I may be wrong—I hope sincerely it is so, and if I am wrong, the Government will be able to point it out; but if I am right, we are now beginning to perceive some of the first results of the policy of Her Majesty's Government. The right hon. Gentleman (Mr. Gladstone) appears to be desirous to dissociate the question of the Suez Canal from the question of Egypt, and I quite agree that, if possible, it would be most desirable to do so; but if it be true that the maintenance and working of the Canal is dependent on the supply of fresh drinking-water, and that that supply is dependent on Cairo, it seems to me to be obvious that the two things are inseparably interwoven and bound up together, and that, so far as British interests are concerned, the Suez Canal is Egypt and Egypt is the Suez Canal. In these circumstances, I wish to ask the Government three Questions. In the first place, I wish to ask whether I am not substantially correct in the facts I have placed before the House? ["No, no!"] Perhaps the hon. Gentleman will be able to get up and point out wherein I am wrong.

Mr. WILLIAMSON: The hon. Gentleman asks what explanation can be given for the contradiction. ["Order!"]

Mr. SPEAKER: The hon. Member for Mid Lincolnshire is in possession of the Chair.

Mr. WILLIAMSON again rose amidst renewed cries of "Order!"

Mr. SPEAKER: If the hon. Member rises to a point of Order he is entitled to do so.

Mr. WILLIAMSON: I rise to this point of Order, that the hon. Member is occupying the time of the House. [*Cries of* "Order!"]

Mr. CHAPLIN: Perhaps the hon. Member will do me the favour to cease his interruptions, which are not very courteous. The second Question which I wish to put is, How and why and in what manner it is that the Government have led us into this position; and if, which I suppose probably will be the case, they refer us to Papers for information, then I would ask them how they propose now to get us out of that position? The Government may depend upon it, if they are not careful to preserve for England the use of the Suez Canal without let or hindrance from any quarter of the world, they will raise a storm throughout the length and breadth of the country against which they would not be able to stand for a moment. I am doubly anxious to know on what conditions we are to enter into the Conference, which I do not hesitate to say I regard both with aversion and dislike? Supposing the decisions of the Conference are hostile to British interests and views in regard to Egypt, what then will be our position? When we invite the Powers of Europe to a Conference on the affairs of a country in which the interests of England have been acknowledged hitherto to be primary and paramount, I think we are treading upon very dangerous ground; and I hope that even yet, even at the eleventh hour, and after the announcement of the Under Secretary for Foreign Affairs, that we shall hear from the Government a full and frank explanation of their views. I must say that my anxiety with regard to the subject-matter of these Questions is not lessened when I remember how greatly in former days the right hon. Gentleman at the head of the Government depreciated the importance of the Suez Canal to England. [Mr. Gladstone: No, no!] I admit this—that the right hon. Gentleman stated the other night, in answer to a speech of the hon. Member for Greenwich (Baron Henry De Worms), that it was a mistake to suppose he had ever done so, and informed the House that, according to the opinion of the authorities whom the Government had consulted, it would be very difficult indeed, and almost impossible, to injure the banks of the Canal. [Mr. GLADSTONE: Hear, hear!] Well, I must say that utterance affords a most remarkable and striking contrast, not to what the right hon. Gentleman said, but to something which he deliberately wrote when Lord Beaconsfield was struggling with the difficulties and complications of the Eastern Question. At that time the right hon. Gentleman told us, in a speech at Oxford, which I well remember, that his great purpose and object for 18 months, night and day, week by week, month by month, had been to thwart and overthrow the policy of that great Statesman, whose foreign policy, I venture to think, is becoming at last, in the mind of the country, to be contrasted, not at least unfavourably, with that of the right hon. Gentleman. Perhaps the House would like to hear the statement of the right hon. Gentleman to which I refer? ["No, no!"] Well, if hon. Members opposite do not like to hear it, I must try to make them. Here are the right hon. Gentleman's sentiments in regard to the Suez Canal—

> "It seems to me to be very doubtful whether confident reliance can be placed upon the Canal for our military communication with India under the varying and shifting contingencies of war . . . Given four-and-twenty hours"

—and then the right hon. Gentleman quotes a great authority, Mr. Dicey—

> "And a company of sappers and miners in undisturbed possession of any portion of its sandy banks"—those banks that it was impossible to injure—" and damage may be done which would not only render the Canal impassable for the moment, but which could not be repaired for weeks or for months; and even if it were possible to hold a line of 100 miles of continuous fortification, it does not appear how the Canal could be secured against the furtive scuttling of ships. If it cannot, what becomes of all the costly care for the military custody of its banks? . . . Upon the whole, it would not surprise me to learn that the authorities of our War Department, aware of all the difficulties of the case, have already discounted them by laying their account for a return to the old route by the Cape."

If that be so, I should like to ask the right hon. Gentleman whether they have now laid their account for a return to the old route by the Cape in case of war? I leave it to the House to say whether I have been correct or wrong in saying that in former days the right hon. Gentleman did to that extent depreciate the importance to England of the Suez Canal. In regard to the present position of affairs, we have been told over and over again that we ought to wait for Papers, and I am glad there is a chance of such Papers being presented. No doubt Papers are essential to a judgment on the past policy of the Government, and it may be the duty of the House of Commons, when it has those Papers, to pass a censure on them. I pass no opinion on that point; but we have to deal with the present situation, and it is the exigencies of that situation that we have to consider. The facts are these. In a country where the interests of England have been acknowledged by all the nations of Europe as well as all the populations of the East to be primary and paramount, Englishmen and Englishwomen and English subjects and servants of the Crown—nay, more, even the Representative of the Sovereign herself—have been insulted, massacred, or outraged, without a finger being raised to defend them, within sight of Her Majesty's flag, within gunshot of her Fleet which floats to-day in the waters of Alexandria, a symbol no longer of power and might, but—alas! that we should have to say it in the English House of Commons—of the weakness and impotence of England. I might say much as to the fearful loss to British capital and industry which the continuance of this anarchy in Egypt must inevitably entail, and which, to a great extent, has already been entailed; but these interests, great as they are, are even of less importance than the blow to the prestige and fame of our power, which in itself constitutes, to my mind, a peril of enormous magnitude to our fortunes and to our Empire in the East. I think the House would do well to remember that this great massacre which horrified us all so much took place a fortnight ago. Since then we have been seeking from day to day for information from the Government—information only of the most legitimate character—and we have demanded a distinct and explicit assurance from the Government that protection shall at least be given to the subjects of the Queen. Our demands and inquiries have been made absolutely in vain; and following upon this day by day we have had accounts still more alarming and serious, and we have been met by empty nothings—by I will not say foolish, but the unmeaning phrases from the Under Secretary for Foreign Affairs; but I think he and his Colleagues will discover ere long that there are limits to the patience and the tolerance even of the House of Commons. I want to remind the House that all these things are happening after months and months of warning to the Government, during which they have had more than ample time to meet any contingency that might arise, and to decide upon what was the wisest policy to pursue. There had been months of anxiety and alarm which have been felt by all sections of the people; and, although it may be true that they have been deluded from time to time by the specious assurances of the hon. Baronet and Members of the Cabinet, yet they are now beginning to discover that those assurances have all been worthless from the first. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote) raised the question just now. He asked whether the Government had any correct information as to the number of people who had been massacred? I followed the right hon. Baronet; and I asked the Under Secretary for Foreign Affairs if he was able to say that the number of people massacred as given in the newspapers was not correct? He said he had no information. [*Cries of* "No, no!"]

SIR CHARLES W. DILKE: I said nothing of the kind. I said I had nothing to add to the information which we have already given. I have already stated that the Representative of Her Majesty's Government had inquired as to the number of persons massacred, and the report sent to us puts the number at 50.

MR. CHAPLIN: You have no further information?

SIR CHARLES W. DILKE: The hon. Member asked me how many persons were killed? The answer was that, according to the best information, 50 were killed. We inquired how many British-born subjects were murdered, and we were answered six. We then asked whether any Maltese or other subjects not covered by the phrase British-born subjects, and the reply was that there were two others—Maltese. All that information has already been given to the House.

MR. CHAPLIN: Either the Government have information or have not information on this point. I want to know have the Government ascertained from those with whom they have been in communication that the numbers quoted in the newspapers of the people murdered—amounting to from 200 to 300—is correct or not?

SIR CHARLES W. DILKE: It has been reported to us from Alexandria that the number killed was 50.

MR. CHAPLIN: When?

SIR CHARLES W. DILKE: The day on which I stated it to the House—nine or ten days ago, as well as I can remember. [*Cries of* "No!"] Well, three days after the massacre occurred; and I have no doubt that if there had been reason to modify the number, we should have received the modification.

MR. CHAPLIN: It is evidently quite useless for us to ask information from the Government, and it appears to me to have come to this—that the influence of the Government has sunk so low in Egypt, that in a country with which we are at peace, and which is within two hours by telegraph from London, Europeans may or may not be murdered by hundreds and the English Government know nothing about it. What we want to know, and what we must insist on knowing, is this—has the Government, apart from the protection given by the Fleet, and which seems in a time of massacre to have been no protection whatever, and apart from the protection given by the Egyptian troops, which could not be sufficient, satisfactory, or reliable protection—has the Government taken any other measures to protect the lives and property of their fellow-countrymen in Egypt; and, if so, will they state what those measures are? If they have not taken such measures, they are deserving of the greatest blame; and, in my opinion, it is their bounden duty, without a moment's loss of time, to repair that terrible omission. I know not, I am sure, what may be the condition of our Army and Navy at the present moment under a Government professing a false and, I think, a foolish system of economy, but who, in reality, I must say, do not practice any economy whatever; but I have been confidently informed—and I believe on pretty good authority—that within something like a month large reductions have been made in our Indian military establishments. ["No, no!"] That is exactly the question I want to know—whether that is so or not? I might have been misinformed, but I am told that nine batteries of Artillery—I think that is the number—four regiments of Cavalry, and no less than 13 regiments of Infantry have recently been disbanded. I want to know if that is true? and I put the question to the Government—to the Prime Minister, to the Under Secretary of State for Foreign Affairs, to the Secretary of State for War, or to any other Member who can answer it. I ask if it is correct? and I can only say, if it is correct, a more gratuitous or grosser act of folly at the present time has never been committed in the annals of our military administration. But I presume that even this Government are able to provide troops sufficient to protect the subjects of the Queen in Egypt from massacre and death, and I hope the Government do recognize this duty as absolutely imperative upon them. I trust we shall to-night hear from the Government something in clear and decided language, so that all the world may know that the English Government do recognize and understand still that the interests of England in Egypt are primary and paramount and must remain so; and that, with or without the consent of any other nation, they are determined to so maintain them. I beg to move that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Chaplin.*)

MR. GLADSTONE: Unless, Sir, I very much mistake the general feeling, and what I think I may call the evident sense of the House, it is not their pleasure or desire that I should follow the hon. Member who has just sat down through the long list of great subjects which he has raised in the course of his remarkable oration. But this I am bound to say, that of all the occasions on which this irregular Motion for adjournment has been made, taking into consideration the manner in which it has been supported by the hon. Gentleman, I do not recollect one that appears to me so unfortunate and, I would venture to say, so little discreet. I think, Sir, the hon. Member will have understood that when I speak of the evident sense of the House in this matter, I mean distinctly to refer, not only to the sense of the majority of the House sitting on this side, but to the sense of the great body of those among whom the hon. Member himself sits. The speech of the hon. Gentleman divides itself into two parts, neither of which do I mean to do more than notice in a sentence or two. My hon. Friend near me (Sir Charles W. Dilke) had replied to a Question put to him to the general effect that the allegations implied in the former part of that Question were not on this occasion disputed; and that, with regard to the closing portion of the Question—whether water in adequate quantities could be provided from sources other than the fresh-water canal?—my hon. Friend was ready to give private and personal information to the hon. Gentleman. To the first portion of that answer—that there is no contest about the general statements implied in the first part of the Question—I adhere. But with respect to the readiness expressed by my hon Friend to give personal information to the hon. Member with regard to the other quarters from which a supply might be derived, I hope, after the exhibition of judgment and discretion made by the hon. Member, and after the rejection of the offer of my hon. Friend by the hon. Member —[MR. CHAPLIN: I did not catch that]—who treated it as so unsatisfactory that it required him to move the adjournment of the House, that my hon. Friend will think himself justified in reconsidering that portion of his answer and in exercising his own discretion in regard to it. With respect to the whole of that portion of the speech of the hon. Member which related to the condition of the Suez Canal, I must say that, while I firmly believe in its innocency of motive, any speech more unfortunate in point of discretion, or more suggestive and descriptive of the means of mischief, I never heard. As to the latter portion of the hon. Gentleman's speech, in which he entered on the wide field of the Egyptian Question, the foreign policy of the Government at large, the state of the Naval and Military establishments of the country, and the condition of those establishments in India, I remarked that he expressed an anxiety that Papers should be laid upon the Table; but I am bound to observe that it seems to me that he, at least, is in very little need of any such Papers, because without them his mind is made up on every subject. The incapacity and the folly of the Government appear to his eyesight in such glaring colours that they cannot possibly be heightened; and although I trust these Papers will soon be presented to the House, yet it appears to me that it would be a waste of time on the part of the hon. Gentleman to read them. When we do, Sir, enter upon that subject, there will be free and large discussion, without doubt, possibly much variety of opinion; but I must say that I hope the temper in which that subject will be discussed by all portions of this House will be a temper very different from that of the speech of the hon. Member. Sir, it is not possible for us to give countenance to a Motion of this kind, by entering upon the questions raised by the hon. Gentleman. He put to us a great number of Questions, some of which may be perfectly legitimate to address to the Government; but if he desires information in regard to them, he must be content to put them in the usual manner, with the usual Notice, and according to the Rules, and not in contempt of the Rules of the House. With regard to the immediate subject with which his speech commenced, and which forms the pretext of his Motion for adjournment, I am compelled to adhere to the declaration of my hon. Friend (Sir Charles W. Dilke), and I believe the whole House will see that nothing could be more grossly or culpably imprudent on the part of the Government than for us in this place and at this time to indicate what are our views or what is our state of knowledge as to the security of the supply of water for the Suez Canal. One word only I say in conclusion. The hon. Member referred to a speech of mine delivered four or five years ago, in which I stated, citing from a high authority, that temporary injury or destruction might easily be brought about on the banks of the Suez Canal, and he thinks that that citation of mine is in contradiction to the answer I gave the other day. But the answer I gave was that, according to the intimations of the best engineering authorities and the information in our possession, we were advised that either the destruction of the Suez Canal, or even probable permanent injury to it, was extremely difficult to accomplish. As to what might be done in the way of temporary injury or obstruction, I never spoke a word. I hope the House will not consent to make this Motion an occasion of entering into a desultory debate on a subject of great importance, which deserves to be treated with greater respect and attention, and with a greater prospect of profit than could possibly arise from any countenance given to a Motion like the present.

Sir STAFFORD NORTHCOTE: Sir, I do not enter into the question of the advantages of a Motion for the adjournment of the House at this moment, and upon this question, because I feel there is a difficulty with regard to the disclosure of matters of military importance; but, at the same time, the question was one which I think it was quite natural and reasonable that my hon. Friend should bring forward, and if the answer of the Under Secretary of State for Foreign Affairs had been different from what it was, undoubtedly I should have said it was our duty, at all risk, to press it. But I understood the hon. Baronet, speaking on behalf of the Government, to say that they were alive to the difficulties of the situation, and that they took upon themselves the responsibility of affirming that there were means of supplying water which they did not think it wise to disclose, but upon which they could rely. Therefore, I think, so far, the answer is one which has put us in a better position upon that important question. It is also something to draw from the Prime Minister even the modified expressions which he has used with regard to his change of opinion as to the value of the Suez Canal. [Mr. Gladstone: No, no!] I have no doubt that the words that have been used, either written or spoken, on former occasions, can be more or less explained to mean that there is no change; but everybody who has watched the opinions of the Prime Minister upon this subject must feel—although I do not deny that the right hon. Gentleman was one of those who opposed Lord Palmerston's Government, which has been called a Conservative Government, by the way, upon the original proposal for the making of the Canal—that during the discussion that took place during the time the late Government were in Office, the opinions of the Prime Minister were generally felt to be that we were overrating altogether the importance of the Canal, and that we should look to some other means of access to India. I am happy to think that that has now been disclaimed. [MR. GLADSTONE: I did not say so.] Of course, I understand that if the sense of mankind is one way, and the sense of the right hon. Gentleman is the other way, it is mankind who are in the wrong. His opinion has been so far explained, but the error of the world is now corrected. But what I wish to point out is this. We have now had from the Government one or two most important statements—first, that they consider the importance of the Suez Canal established; secondly, that they see their way to the protection of the Canal in the event of an attempt being made to destroy it, by cutting off the supply of water; and thirdly—and the House must never forget what was stated by the right hon. Gentlemen a few days ago, in answer to a Question I put to him—that the Conference which is about to take place excludes any consideration of questions affecting our position and rights as regards the Suez Canal.

MR. GLADSTONE: That, Sir, was not the Question. It was the subject of the Suez Canal. Questions as to the Suez Canal, its neutralization, and all other questions relating to it specially, were not referred to the Conference; but naturally it is impossible to say that in a Conference which is to consider the question of legality and the security of peace in Egypt the condition of the Suez Canal, which, as hon. Members know, is part of Egyptian territory, is to be entirely excluded.

SIR STAFFORD NORTHCOTE: That is a very important statement.

MR. GLADSTONE: What I mean is as a part of Egyptian territory.

SIR STAFFORD NORTHCOTE: Yes, undoubtedly that opens up a field of consideration, but I do not pretend for a moment to enter upon that now. I rather rise to say, with regard to all those matters, and with regard to the question of the policy which Her Majesty's Government has pursued in all this matter, that while we feel that it will be necessary to have a full discussion of it, we are, of course, restrained from going into it until we are in possession of proper information. I do not in the least wish to anticipate what will happen when that information is given to us. With regard to the policy which Her Majesty's Government have pursued, I only say that I hope these Papers will be produced in time for us to discuss that policy while some advantage is to be gained in discussion. But a point we have also to consider is not only what has been the policy of Her Majesty's Government in the past, and in its bearings on the future of this great question, but what is the position of affairs at this moment, and we have a right, I think, to have as full an explanation as the Government can give us. We are naturally anxious to know what has been the exact amount of loss of life and other outrages committed in Alexandria—the loss of life and property during those riots in Alexandria, as to which, I think, more information might be given to us than has been afforded. We are also anxious to know what is the exact condition that we stand in with regard to the safety of life and property at this moment. I give Notice at an early part of the evening that I will ask the Prime Minister these two Questions—From whom we are demanding, or are about to demand, reparation for the loss of life and property that has occurred, and on whom it is that we now rely for the security of life and property? These are important Questions, to which we shall, no doubt, have an answer. They bear very closely on the present state of affairs, and on the present state of this question. If the responsibility of order rests with the Porte or Dervish Pasha, as the Emissary of the Porte, or anyone connected with the Sovereign of Egypt, then, I think, it becomes a very serious question what is the relation of the Porte to the Conference, and whether our hands will be strengthened or weakened when the Porte objects to it. These are questions on which we might and ought to have information, without waiting for Papers of a considerably earlier date, which will be important to enable us to judge of the whole policy of the Government, but which may be long in production, and ought not to stand in the way of full information, and an assurance that Her Majesty's Government are aware of the very great injury that has been done, and is being done, to British interests, as well as life and property, the feeling of great insecurity of life which exists amongst our fellow-subjects in that country, and other matters which are of obvious importance, and upon which I think we ought to have reassuring statements as soon and as freely as possible.

MR. WILLIAMSON said, he rose somewhat irregularly during the speech of the hon. Member for Mid Lincolnshire (Mr. Chaplin), and he desired to apologize for having done so; but he wished to explain that he did so in response to the challenge made by that hon. Member for any hon. Gentleman to deny the statement he was making as to the danger of the Suez Canal being deprived of fresh water supplies. He simply wished to inform him, and to point out to him, that the use of the Canal was not at all dependent on the supply of fresh water from the Nile. It was a well-known fact that all steamers passing through the Canal had got tanks containing a sufficient supply for the wants of the crews and passengers or men on the stations on the banks. It was also a fact, of which probably the hon. Member was not aware, that in a large tract of country on the West Coast of South America, large communities were supplied with fresh water distilled from the sea water. It would be an easy matter to send out, in five or six days, apparatus to distil a sufficient supply of water from the sea. He was sure if the hon. Member for Mid Lincolnshire (Mr. Chaplin) had known these facts he would not have ventured to make the assertion he did, or to have wasted the time of the House.

MR. M'COAN said the Suez Canal was as well known as the Rhine, and he had listened with much amusement to the remarks of the hon. Member for Mid Lincolnshire (Mr. Chaplin). As, however, the speech of the hon. Member might create a scare about the Canal, he would state some facts within his own personal knowledge. The hon. Member seemed to think that though the Canal connected two seas it was fed by fresh water. The Canal was fed by salt water. The fresh water canal ran from a point near Cairo down to Ismailia, at the centre of the Canal, and supplied the inhabitants of the town. It then ran on to Suez, which it supplied, and it also went to Port Said, where there were tanks which contained several weeks' supply for the whole town. At Ismailia there were tanks which contained several days' supply, and at Suez there was a considerable supply in the tanks, so that if the fresh water canal stopped to-morrow, there would still be a supply in those places for some days. It was true that considerable inconvenience might result from a temporary stoppage of the Canal; but the navigation need not be stopped for one hour, as it was no more dependent for its supply upon the source suggested than the Thames was upon the sea. Therefore, to attempt to raise a scare about the matter was one of the wildest and most childish things he had ever heard. As for the insult that had been offered to the British Crown, in the person of Mr. Cookson, that gentleman did not represent the Crown at all, and the whole idea was little better than a "mare's nest."

SIR GEORGE ELLIOT said, he would not occupy the attention of the House more than a few minutes; but he wished to say that he approached that subject with great diffidence. The House was, no doubt, aware that he had spent a great deal of his time in Egypt for the last 15 years. He had taken much interest in the subject of the construction of the Suez Canal, which he saw in its inception, during its construction, and since its completion. He did not share the apprehension of many of his hon. Friends as to the extent of the injury which might result from any interference with the fresh water supply. It had been correctly stated that the Canal was supplied with fresh water by a canal which proceeded from the neighbourhood of Cairo, down to Ismailia, then to Suez, and from Ismailia to Port Said. The population of Port Said was not large, and it need really be no secret, and he did not see why the Under Secretary of State for Foreign Affairs need hesitate to say, that even if the fresh water was cut off, there was no difficulty in getting fresh water from the river which flowed into the sea close to Port Said. Therefore, he did not share any apprehension that could arise of permanent injury being inflicted on the Canal by mischievous persons. It could only be temporary, because it was not carried over large aqueducts, but through the bed of the desert; and if a ship was sunk in the channel they had nothing to do but to find their way round it. No obstruction could be of a permanent character. He thought it was really but fair on all sides that the public mind should not be too much disturbed. There was another point he could speak upon from knowledge, and that was the situation at Alexandria at that moment, which he had no doubt was occupying the minds and attention of the Government as well as other Members of the House. There were very large masses of mixed population in Alexandria, who were now out of employment. They had been very hungry, he knew, and when they had large masses of unfed people, and an army behind them, there was very great peril. He assured them that he should have spoken on this subject if he had had anything to suggest; but the position was peculiar. It was a combination of difficulties. He did not believe Her Majesty's Government, or anybody else, could very well define what ought to be done. They must judge from time to time, and from day to day. In interviews he had had with persons who were taking part in this situation, no longer ago than February, they one and all expressed themselves very much opposed to a French soldier being seen on their soil. Arabi Bey had been allowed to go from step to step, until he had acquired the actual mastery of all authority in Egypt; and if they would keep that steadfastly in their minds, they would be able to see the great difficulty in dealing with this question. Arabi was a Mussulman. Could the Sultan send his soldiers to contest with one representing the interests of Mussulmans? He would find great difficulty in sending his army there, because the jealousy and the feeling of the Mussulmans would be roused against him. In his opinion, the Sultan ought to exercise his authority; but he saw very great difficulty in his doing it. On the other hand, were we to do it, how were we to do it? What were the conditions? Could we set to work to land soldiers? If we did, all our European subjects would be like so many hostages in the hands of the enemy. That was the danger he had seen and felt throughout, and he could not sit and hear the Questions that were put in the House and remain silent. It must be left to the hands of those who were responsible; and if he were asked to advise as to what steps should be taken to deal with the situation, he should prefer to reply in the negative. Having been recently in Egypt, and having heard the views of persons in authority, and those who were endeavouring to upset things, he told the House that the situation was one that he could not tell how to deal with; they must trust to the measures of the Government; whether they blamed them for having got into this mess or not was another thing. He was satisfied the condition of Egypt was enormously improved, and all that was wanted was that we should be able to continue the work we commenced; but in order to do that we must have some civil or military power behind those who were employed to do the work, so that they could not be upset by the interference of the army. He trusted that the Government, in setting their hands to this work, would effectually put it on such a footing, whether by a Conference or otherwise, as to prevent a repetition of this mischievous conduct on the part of Arabi. However much he might disapprove—as he did disapprove—the conduct of the Government in not taking some earlier measures, and in dissenting from instead of approving some of the acts of Arabi Bey—for it was therein that the evil began, and therefrom that it had grown to its present dimensions—he had to acknowledge, as he had indicated, that in its present form the difficulty was one for which he had really no solution to offer.

Captain AYLMER wished to ask whether there was any truth in the statement that a Convention had been concluded between England and Turkey, and approved of by Germany, by which English troops were to take charge of the Suez Canal?

Mr. CHAPLIN said, that he wished to say a few words in reply to the speeches that had been made on this subject. He could not help contrasting the speech of the hon. Gentleman below the Gangway on his left with those which had been made by hon. Members opposite. [*Cries of* "Order!" *and* "Spoken!"] He had been charged by hon. Members opposite with having said that which was childish and ridiculous, and with a desire to create a scare. [*Cries of* "Order!"]

Mr. BAXTER rose to Order. He wished to know whether the hon. Member had the right of reply?

Mr. SPEAKER: As the hon. Member has made a substantive Motion, he is, according to the Rules of Debate, entitled to a reply.

MR. CHAPLIN should have thought that hon. Members opposite would have learnt something with regard to the Rules of the Procedure of that House by this time. He had been charged with saying that which was childish and ridiculous, and with a desire to create a scare; but if that were so, why did not the Government dispel all fears of a scare at once by giving full information on the subject? The hon. Baronet had said that the suggestion he had made was a mischievous one; but was it to be supposed that Arabi Pasha was not aware of what was going on in Europe? The fact was that it was in England, and not in Egypt, that ignorance prevailed. He had put certain Questions to the hon. Baronet which had not been satisfactorily answered, and he begged to give Notice that he should persist in pressing those Questions until they were answered. Hon. Members had the right to know, and it was their duty to know, that measures were being taken for the protection of English subjects in Egypt; and when it was stated in that House that great reductions in the strength of our Army were in contemplation by the Government, it was of the first importance for them to know in what manner Her Majesty's Government intended to provide for the protection of Her Majesty's subjects abroad. ["Hear, hear!" *and Interruption.*] The hon. Gentleman the Member for Frome (Mr. H. Samuelson) thought fit to interrupt him; but he could tell the hon. Member—[*Cries of* "Order!"]

MR. SPEAKER: I must remind the hon. Member that he must address himself to the Chair.

MR. CHAPLIN begged to call the attention of the right hon. Gentleman in the Chair to the fact that he had been interrupted by the hon. Member for Frome by un-Parliamentary noises. He asked the Government why it was that we had got into this desperate position? and he hoped that before long Ministers would be good enough to make an explanation to the House on the subject. Only one word more. He would commend to the notice of the Government, to the notice of the Premier, and the Members of the Liberal Party generally, some few observations which he was certain they would respect when they knew the source from which they were taken. They referred to delay in presenting Papers to Parliament, and they ran—

> "Appeals were made to the Government to supply Parliament with full and authentic information in lieu of the scanty and unauthentic information which can be got from newspaper sources. But the papers were left unprepared, precious weeks were lost, and the House of Commons has, in the main, been ousted from the legitimate jurisdiction which it exercises over such matters."

Perhaps the right hon. Gentleman (Mr. Gladstone) might recognize the quotation? It was from a very remarkable document called *Bulgarian Atrocities*, and the language was the language of the present Prime Minister.

MR. O'DONNELL said, he did not rise for the purpose of associating his name with the alarms which had been expressed by the hon. Member for Mid Lincolnshire. He had himself put some Questions to the Under Secretary for Foreign Affairs, with the view of showing that the effects of the riots in Alexandria had been greatly exaggerated; and he was glad to find that, deplorable as was the loss of life, it had not been a fourth part of what was reported in the sensational paragraphs which had appeared in the newspapers. He was unable to find any report of the slightest weight which put the number of Europeans killed higher than 58 or 60, and he was led to believe that the number of Arabs killed by Europeans was not far short of the same number. When the matter was carefully examined, he believed it would be found that there was nearly as much blame upon the one side as upon the other. Unquestionably, the first murders seemed to have been committed by so-called Europeans. He had seen letters from eye-witnesses of what had taken place, in which it was explained that the bayonet wounds which were found in the bodies of several of the killed were caused by old bayonets which were carried by the Arabs tied to sticks, and were not inflicted by the Egyptian police. The result of Her Majesty's Government determining to set itself in opposition to Arabi Pasha, and to insist, in their so-called Ultimatum, on his being exiled, would lead us into untold complications and great dangers. If they persisted in thus opposing the leading man in Egypt, and the one who was the most popular with the Egyptian people, they would have to deal not only with that people, but with the entire Mussulman population of the East. In regard to the neutralization of the Suez Canal, the Prime Minister said the European Conference would deal with it in one sense, but that in some other sense it would not do so.

Mr. GLADSTONE: The hon. Member has entirely misunderstood me. I have already distinctly stated that no question relating to the Suez Canal has been referred to the Conference.

Mr. O'DONNELL said, that he had thoroughly appreciated the effect of the language which had been used by the right hon. Gentleman. Doubtless, the Suez Canal — that great engineering marvel of the age—was to be kept outside of the purview of the Conference; but the Suez Canal, as so many miles long and as so many yards broad of Turkish territory, would, according to the words of the right hon. Gentleman, fall within that purview. Upon that point all he had to say was, that the one thing that the British Government and the Imperial Parliament had to pray for was the failure of this Conference, because if the Conference came to a definite conclusion on the subject, and if it assumed a control over the Suez Canal, not many years would elapse before the British Empire would find that no transport of British troops through the Canal would be permitted without the permission of the European Powers. If Her Majesty's Government, therefore, could still break off from this Conference, let them do so, even at the cost of being inconsistent, and of the loss of some prestige; and let them make friends with Turkey or any other Eastern Power rather than run the risk of taking part in this Conference.

Sir MICHAEL HICKS - BEACH: I think, Sir, that the point which the hon. Member who has just sat down has referred to at the end of his speech is of such vital importance that I hope that Her Majesty's Government will lose no time in making it clear to the House and to the world what limits will be placed upon the power of the Conference to deal with the Suez Canal. The right hon. Gentleman the other day, in reply to a Question put to him by my right hon. Friend, as to the limits within which the discussion of the Conference would be confined, and as to whether they would include the Suez Canal, stated most distinctly that they would be confined to the Egyptian Question proper; and, subsequently, the hon. Baronet (Sir Charles W. Dilke) said that the neutralization of the Suez Canal would be outside of these limits. That statement, however, has been, to some extent, qualified by what the right hon. Gentleman has told us this evening. Now, Sir, I cannot conceive anything of more importance than this subject, because nothing could be more dangerous to the interests of this country, and, indeed, of the whole world, than that it should be within the power of a majority of the Powers taking part in the Conference to limit, in any way, the use of this high road between England and India. I hope that Her Majesty's Government have been alive to the great importance of this matter; and what I would ask them is this—Have they definitely expressed to the Powers the limits within which they consider the discussion at the Conference must be confined on this point? Have the Powers accepted these limits, and, if so, what are they? I must repeat that I do trust there may be no delay in replying frankly and fully to these Questions.

Sir CHARLES W. DILKE: Her Majesty's Government have already stated that they deprecate and will do all in their power to pass by and refrain from taking part in debates on Motions for the adjournment of the House, At the same time, I wish to take advantage of the Motion just introduced, in order to reply to the direct appeal that has been made by the right hon. Gentleman. I can assure the House, in the most definite terms, that the question of the neutralization of the Suez Canal is entirely outside the purposes for which the Conference meets, the bases for the meeting of which I have already on three occasions described in this House. My right hon. Friend the Prime Minister asks me to state for himself that the answers previously given by him and by me on former occasions are not to be considered as in the least qualified by anything which has been said.

Sir MICHAEL HICKS - BEACH: What I want to know is, whether that view has been communicated to the Powers and accepted by them?

Sir CHARLES W. DILKE: It is not in the least necessary to make such a communication. The Powers are perfectly well aware of the opinion of the Government that the question is entirely outside the bases of the meeting of the Conference.

Mr. NORWOOD said, he should not have troubled the House if it were not for the references which had been made in the course of the debate to the importance of the Suez Canal in enabling us to maintain our communications with India. He thought that hon. Members had very greatly over-estimated the ultimate importance of the Suez Canal. When the Suez Canal shares were purchased by a former Government, he felt it his duty to state at length what he was about now to state very shortly. He did not for a moment depreciate the great saving in distance by the Suez Canal to our mercantile communication with the East; but he might state to the House that so great had been the engineering advances of the country within the last few years, especially in regard to the speed of vessels intended for ocean purposes, that more than one steamer recently constructed was capable of conveying troops from London to Calcutta, *viâ* the Cape, in as short a time as the Peninsular and Oriental express service, *viâ* the Canal. The Canal only allowed the passage of vessels with a draught of about 23 feet. The necessity of storing a large quantity of fuel for the consumption of enormous engines rendered it impossible to construct vessels able to make exceedingly rapid passages and, at the same time, to carry large cargoes of the dimensions necessary, if they were required to go through the Canal. He was prepared to say that such ships as the *Arizona*, of the New York Line, would make the passage to Calcutta in about 26 days, under steam, while it was well known that the merchant ships of the present day which passed through the Canal took a much longer time. No doubt there would be some advantage in reference to the passage to Bombay in going through the Canal; but the difference was susceptible of being reduced to something like three or four days. He had no desire to depreciate the commercial value of the Suez Canal, nor the views of the Government in their desire to maintain it for the advantage of communicating with India. He was ready to acknowledge that the closing of the Canal, even temporarily, would be a source of great inconvenience and loss to the country; but he maintained that it would not be so heavily felt as some hon. Members were disposed to assume, and that in two years it would be possible to carry the trade of the country by way of the Cape quite as well as it was carried now by way of the Suez Canal. Therefore, on patriotic grounds, and in view of keeping up our prestige in India, he denied that the keeping open of the Suez Canal was of absolute vital importance to this country.

Question put, and *negatived.*

SCIENCE AND ART—THE NATIONAL GALLERY—SALE OF THE HAMILTON PICTURES.

Viscount LYMINGTON asked Mr. Chancellor of the Exchequer, Whether any means have been taken to put the Trustees of the National Gallery in possession of funds for the acquisition of works of art in the Hamilton collection?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone), in reply, said, the Treasury had made known their views to the Trustees of the National Gallery upon this matter; and though the disclosure in the House might not be so serious as the disclosure of some other matters, there was no advantage in making those opinions known.

PARLIAMENT — BUSINESS OF THE HOUSE—PROCEDURE RESOLUTIONS—THE FIRST RESOLUTION (CLOTURE).

Mr. JOSEPH COWEN asked the First Lord of the Treasury, If there are any of the Amendments on the Notice Paper to the first of the proposed new Rules that the Government will accept, or if they remain resolved to insist on obtaining the power to close a debate by a bare majority?

Mr. LABOUCHERE asked the First Lord of the Treasury, Whether his attention has been called to the following statement in the "Times" of June 21st:

> "We know as a matter of fact that, immediately before the assassination in the Phœnix Park had thrown Parliamentary business into confusion, the Government had come to acknowledge the expediency of making a concession to those who have distrusted the absolute power of a bare majority. The Prime Minister and his colleagues were then prepared to adopt Mr. Gibson's amendment, or rather addition to the

Resolution, leaving its arithmetical refinements untouched, but providing that in no case should clôture be carried by a majority of less than two to one;"

and, whether it is a fact that he and his colleagues either ever have acknowledged, or do now acknowledge, or contemplate acknowledging, the expediency of making a concession to the Junior Member for the University of Dublin, and those who like him have distrusted the absolute power of a bare majority in regard to clôture, the effect of which would be to provide that in no case clôture would be carried by a majority of less than two to one?

Mr. BAXTER wished to ask another Question on the same subject—namely, Whether, with a view to arriving at an early settlement of this vexed question, Her Majesty's Government would consent to omit Part II. relating to Standing Committees, seeing that it was likely to be strongly opposed, and to alter the 1st Resolution by accepting the Amendment of the hon. Baronet the Member for the University of London (Sir John Lubbock), or the Amendment which stood in the name of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson)?

Mr. ARTHUR ARNOLD wished to know, also, whether, in the opinion of the Government, the interruptions which took place by Motions for the adjournment of the House—[*Cries of* "Order!"]

Mr. SPEAKER: The hon. Gentleman proposes to ask a Question as to the opinion of the Government. That is an irregular form for a Question.

Mr. GLADSTONE: Sir, I understand these Questions to be as follows:—The hon. Member for Newcastle (Mr. Joseph Cowen) refers to a supposed intention of the Government to accept an Amendment which stands upon the Paper, and recommends its acceptance. The hon. Member for Northampton (Mr. Labouchere) refers to the same subject, and deprecates that acceptance; and my right hon. Friend behind me refers both to this question and also to the dropping of what is called the second part of the entire subject—namely, what is known as the delegation or devolution. The time for entering into these details will be when we come nearer to the discussion of Procedure. There can be no advantage in entering into details at present. About six weeks ago I made a communication to the right hon. Gentleman opposite in anticipation of a statement which I was about to make in this House to the effect that in view of a rapid and early settlement of the entire matter, the Government were prepared to accede, by way of trial, without compromising their opinions, to the Notice of Motion given by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson). That, I am bound to say, was in reference to the then state of things, and it is a matter with regard to which the Government feel themselves perfectly at liberty to reconsider their position if the public interest should seem to require it under a different state of things. I think that I should mislead my right hon. Friend and the House if I were not to state that Her Majesty's Government have never entertained the idea of dropping what is called Part II. of these Resolutions—the part which relates to devolution or delegation. Whether the particular proposals we have made are right or wrong, sufficient or insufficient, too narrow or too wide, my own personal conviction is, that unless the House is prepared to deal with the subject of devolution or delegation in some effective manner, it is idle to go to work on measures merely penal and restrictive. No penal and respective measures could ever restore this House its capacity to deal efficiently with the Business of the country. I will enter into no details at present; but I will promise the House that it shall not be taken by surprise, but that, when we see our way, we will give full Notice to the House of whatever course we think right to recommend.

Mr. JOSEPH COWEN begged to give Notice that in the event of the *clôture* being accepted on the French system, he should move that the selection of Speaker in the discussion be also conducted according to the French system.

PARLIAMENT—PUBLIC BUSINESS.

Mr. W. H. SMITH asked the First Lord of the Treasury, If he is now prepared to give any indication of the period at which it will be possible, without serious danger to European life and property in Egypt, to discuss the policy pursued by the Government, and the efficacy of the steps taken to support the Khedive, in pursuance of the engagement tendered to His Highness in the

Joint Note of the 8th January; and, as to the course adopted by Her Majesty's Government with reference to, and in maintenance of, the demand made upon the Egyptian Ministry on the 25th May by Her Majesty's Consul General, at Cairo, of "conditions" which, in the name of Her Majesty's Government, he asserted "to be necessary for putting an end to the disturbed state of the Country," and with respect to which he announced that, "in case of necessity, Her Majesty's Government will exact their due fulfilment?

Mr. GLADSTONE : Sir, inasmuch as, according to our latest information, the Conference has not met until to-day —it probably has met to-day—it is impossible for Her Majesty's Government to forecast the future in such a way as to enable me fully to answer the Questions of the right hon. Gentleman. Our duty is to place the right hon. Gentleman, as soon as we can, in a position to form a judgment for himself, and to make any proposal which he or his Friends may think fit, and which we will be prepared to meet according to the best of our ability and the circumstances of the time. It has been already stated by my hon. Friend near me (Sir Charles W. Dilke) that we are preparing Papers, with respect to which I wish it to be understood that it is impossible to bring them up to the actual moment. We desire to place the House in possession of those up to the 31st of May, and we are inclined to believe that they will enable the right hon. Gentleman and his Friends to form an adequate judgment upon the retrospective portion of the subject, and on the conduct of the Government. These Papers will be delivered in the course of next week, and we hope that they will be distributed in the early part of the week after. The right hon. Gentleman naturally wishes to know in what position he will be placed when we come to consider this question, so as to be able to decide on any course that he may think fit to take. It will be necessary for the Government to ask the House to go into Committee of Supply on Monday. The immediate and urgent reason for going into Supply, even though it may involve the interruption of the Crime Prevention Bill, if that Committee should not then be closed, is the necessity of taking Votes for the Navy. We shall also ask the House for a further short Vote on Account of the Civil Service, which will be absolutely necessary shortly after. It will be more convenient to deal with it as one subject. I will now tell the right hon. Gentleman what we further intend. Sunday week will be the 2nd of July, and soon after that the Papers up to the 31st of May will be in the hands of hon. Members. By the middle of July—say, about 10 days after the issue of those Papers—I will engage, on the part of the Government, to propose going into Committee of Supply, so as to enable any hon. Gentleman opposite to raise the question of Egypt if he thinks fit. That is as much as I can say at the present time. I hope that will be deemed satisfactory. I trust that hon. Gentlemen, viewing the urgency of the case with respect to the Irish Bills, and especially with respect to the Irish Bill on which we are now engaged, will not, on Monday, make such use of their privilege on going into Committee of Supply as to cause inconvenience to the necessary Business of the House.

Mr. W. H. SMITH asked whether Supply would be the first Order on Monday?

Mr. GLADSTONE: Certainly.

Mr. J. LOWTHER: Sir, I understood the Under Secretary of State for Foreign Affairs, to say that the first batch of Papers would be in our hands to-morrow.

Sir CHARLES W. DILKE: That is the second batch.

Mr. J. LOWTHER: I would suggest to the right hon. Gentleman, with the view of obviating the disagreeable necessity for Motions for the adjournment of the House, that as soon as the Prevention of Crime Bill has passed through Committee, he will afford the House an opportunity of considering the Papers as far as they have been delivered.

Sir CHARLES W. DILKE: While the Conference is sitting, of course, the Government can take no part in an exhaustive discussion; but if the right hon. Member, when he has read the Papers, sees any cause for blaming the Government, and makes a Motion to that effect, of course, that would be a different matter; but a generally vague discussion during the sitting of the Conference would be extremely inconvenient.

Mr. GORST asked what course they proposed to take on the Admiralty Votes on Monday?

Mr. CAMPBELL-BANNERMAN: We propose to go on where we left off.

Mr. GORST: Will the Dockyard Vote be proceeded with?

Mr. CAMPBELL-BANNERMAN: I shall propose to go straight forward with the Votes in the order in which they come.

Colonel MAKINS asked whether it would be convenient to deal with the question of the Marines on Monday; or whether there would be another opportunity given for the discussion of the question in the way indicated by the present Chief Secretary for Ireland?

Mr. CAMPBELL-BANNERMAN believed it was understood there should be a general discussion on Vote II., seeing that there was a limited discussion on Vote I. At any rate, he would confer with the right hon. Gentleman (Mr. Trevelyan) on the subject.

Mr. W. H. SMITH: Is it to be entirely Naval Votes on Monday?

Mr. CAMPBELL-BANNERMAN: Yes.

EGYPT—THE BRITISH REFUGEES.

Sir H. DRUMMOND WOLFF (for Mr. Onslow) asked the First Lord of the Treasury, If he can now state what arrangements have been made to provide free passage and free living for the British refugees from Egypt, or whether it is the intention of the Government to provide no free rations for these refugees; and, what is the ultimate destination of these refugees, and at whose expense they will be victualled, now that they have been forced to leave Egypt for their own personal safety?

Mr. GLADSTONE: With respect to this Question, I think that the hon. Member who gave Notice of it must be under some misunderstanding. He can hardly suppose that a matter of this kind, a sudden necessity arising at a distant point, can be dealt with by correspondence between Departments. It must be dealt with by the authorities on the spot to the best of their discretion in communication with the authorities at home as rapidly as possible. My hon. Friend the Secretary to the Admiralty has given all the information he can, and we at the Treasury possess no information whatever. No communication has been made which enables us to give any further information.

ARREARS OF RENT (IRELAND) BILL—THE IRISH CHURCH FUND.

Mr. ANDERSON asked Mr. Chancellor of the Exchequer, Whether, seeing the success of the new proposal for making the Irish Church Fund bear the whole liability under the Land Arrears Bill depends so entirely on the unpaid income, not exceeding the five per cent estimated, he has good reason to suppose that the impoverishment of landlords, and other causes, are not likely to affect the income more seriously in the future than they have done even in the worst year of the three last?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone): Sir, I venture to say to my hon. Friend, in answer to this Question, that we have very carefully considered, as well as the nature of the subject admits, this question of a possible deduction in defection in the revenue of the Church Surplus Fund. We have gone into it in a spirit to endeavour not to mislead the House on a dangerous side. We entertain very great confidence that, the law remaining as it now does, our calculations are reasonable and safe.

EDUCATION—INTERMEDIATE EDUCATION IN WALES.

Mr. RICHARD asked the First Lord of the Treasury, Whether there is any objection to refer the Bill prepared by the Government, for Intermediate and Higher Education in Wales, to a large Committee of Welsh Members, after the manner suggested by him of dealing with the Scotch Educational Endowments Bill and the Agricultural Holdings Bills?

Mr. GLADSTONE: Sir, I must inform my hon. Friend that the Bill relating to intermediate education in Wales is not so far advanced as he seems to suppose. The Bill is based upon the double idea of local rating and public grant. So far as the machinery for local rating is concerned, there is no reason why the Bill should not be now introduced, and, if introduced, referred to a large Committee. I am bound to say, however, that I do not think the

House will be disposed to accede to the appointment of an exclusively Welsh Committee, although, no doubt, on such a Committee Wales would be largely represented. The measure, however, is not sufficiently advanced to deal with it as a whole, and therefore the Bill could not be introduced. The Bill is only prepared so far as regards the machinery of local rating.

WAYS AND MEANS—THE FINANCIAL PROPOSALS—SUBVENTION TO ROADS.

Sir BALDWYN LEIGHTON asked Mr. Chancellor of the Exchequer, With reference to the proposed subvention to roads, whether he can now state in what mode it would be applied, namely, whether according to mileage of disturnpiked roads in a county or borough, or according to mileage of main roads, or expenditure, or how otherwise; and, if not now, whether he could inform the House on what occasion such a statement would be made?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone), in reply, said, he thought that, with respect to that question, one of two courses would be taken. He could not say which would be the more convenient. His right hon. Friend the President of the Local Government Board might, when in Committee on the Tax Bill, state his proposal as to the mode of distribution; or it might be postponed until his right hon. Friend proposed it as a substantive plan.

PARLIAMENT — PARTNERSHIPS BILL.

Mr. HORACE DAVEY asked the honourable Gentleman the Member for Gloucester (Mr. Monk) whether he intended to proceed with the Partnerships Bill that evening?

Mr. MONK, in reply, said, that he intended to ask the House that evening to make as much progress with the Bill as possible.

PRISONS (IRELAND)—OMAGH GAOL—WIDOW OF CAPTAIN DISNEY.

Mr. T. A. DICKSON asked the Chief Secretary to the Lord Lieutenant of Ireland, What provision the Government intend making for the widow of the late Captain Disney, Governor of Omagh Gaol, county Tyrone, who lost his life through the defective sanitary condition of that prison?

Mr. TREVELYAN: Sir, I am in communication with the Treasury upon this matter. If the hon. Member will repeat his Question on Monday, I hope then to be able to answer him.

THE IRISH LAND COMMISSION — APPLICATIONS FOR FIXING A FAIR RENT IN CO. LONDONDERRY.

Mr. T. A. DICKSON asked the Chief Secretary to the Lord Lieutenant of Ireland, If, taking into consideration that three thousand applications to fix a fair rent await hearing in the county of Londonderry, and that up to this date only seventy-six cases have been decided, the Government will arrange with the Land Commissioners that separate Sub-Commissions be given to each of the counties of Londonderry and Antrim?

Mr. TREVELYAN: Sir, this matter has urgently been brought to my notice by my hon. Friend the Solicitor General for Ireland, and, chiefly in consequence of his representations, I have been in communication with the Land Commissioners and the Treasury upon this subject, and have made arrangements by which an additional Sub-Commission may be appointed in September next to enter on its duties on the 1st of October, when the vacations shall have terminated. By this means, if it is still deemed necessary, separate Sub-Commissions can be assigned to the counties of Londonderry and Antrim.

Mr. GIBSON said, he hoped that the Chief Secretary would take care that no Assistant Commissioner should sit in his own locality.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. BRODRICK.

Colonel NOLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If any necessity exists for the further detention of Mr. Brodrick, Poor Law Guardian of Athenry?

Mr. TREVELYAN: Sir, His Excellency considered Mr. Brodrick's case on the 16th instant, and decided that he could not, consistently with his duty, order his release at present.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 21st June.*]

[SEVENTEENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART III.

GENERAL POWERS.

Clause 12 (Application of Alien Act to aliens in Ireland).

Amendment proposed,

In page 6, line 36, to leave out from the word "for," to the word "Act," in line 37, and insert the words "one year,"—(*Mr. Healy,*)

--instead thereof.

Question proposed, "That the words 'the same period as this Act' stand part of the Clause."

MR. DILLON said, that this Amendment was under discussion when the hour for adjournment arrived yesterday. He did not think Her Majesty's Government could charge the Irish Members with having unduly procrastinated the discussion upon the clause. The Alien Act, which the clause provided should be applied to aliens in Ireland, consisted in itself of a variety of clauses, and whenever its renewal had been proposed on previous occasions it had always been discussed at considerable length. It was originally proposed in 1793, and on that occasion gave rise to a long debate; and on every occasion since it had been opposed by all the most honoured names of the old Whig Party. The Home Secretary informed the Committee the other day that he was a follower of the Whigs of old, and that he was proud to call himself so. He (Mr. Dillon) wondered what the right hon. and learned Gentleman would say if he were to read to him the speeches of the Whigs of old on the Alien Act. Every name honoured in the annals of the Whig Party had protested in the strongest terms against this Act. On one occasion, when Lord Castlereagh introduced the Alien Act, he was met with a dogged determination on the part of the Whig Party not to discuss its details at all, and one and all declared that, no matter what the details of the Bill were, they objected to it on principle, and under no circumstances would they condescend to enter into any criticism of its details. He (Mr. Dillon) intended on a proper occasion to quote the authority of all these great men, and he thought the Irish Members were entitled to ask, at least, that the Government should not add anything to the provisions of an Act which had been so strongly opposed by their own Party. When Mr. Pitt introduced the Alien Act of 1793, he asked for one year, and one year only; and he hoped, if Lord Castlereagh might be compared with Herod, that Her Majesty's Government were not prepared at the present moment to out-Herod Herod. Of course, if the Government were determined to carry the present clause, all the Irish Members could ask was that it should not create a precedent for doing what the British House of Commons had never done before. The appeal to the Government was not unreasonable—not to re-enact the provisions of the Alien Acts of 1793 and 1848, at all events, for a longer period than one year.

MR. LEAMY said, that the right hon. and learned Gentleman the Home Secretary had boldly and proudly avowed himself a Whig the other night. But he was in no respects like the Whigs of former days, because, although the Whigs of old entertained the greatest repugnance to discuss even the smallest details of this measure, there was no single detail of it which the Whigs of the present day were not prepared to enforce without the slightest repugnance. The right hon. and learned Gentleman proposed to re-enact the Alien Act without giving any details at all, knowing very well that those who would follow him into the Lobby would not take the trouble to make themselves masters of its details. His hon. Friend the Member for Tipperary (Mr. Dillon) had referred to the opposition given to the Alien Acts when they were first brought in, and had pointed out how one and all of the Members of the Liberal Party had refused to discuss their details. He (Mr. Leamy) thought it was most desirable that the details of the Act should be before the Committee. He was satisfied that many hon. Members would vote for the Home Secretary's proposition who had not read those details; and it was the first time in the history of attempts at legislation of this character that an Act which was not in existence now, and which was not to found in the Codified Statutes, was proposed to be re-enacted without any specification being made of what its precise details were. Of course, he knew it would be said that everybody was supposed to know the law; but he would like to ask the right hon. and learned Gentleman how the people whom the clause would affect—namely, aliens residing in Ireland—were to know the law? Where were they to find it? They were unable to find it in the present Bill, and they could not find it in the Codified Statutes.

SIR WILLIAM HARCOURT said, that it was proposed to print the Alien Act in the Schedule to the Bill, and he had stated so already.

MR. LEAMY said, he was not aware that the right hon. and learned Gentleman had made that statement. He certainly thought that the Act should have been set forth in a Schedule before the Committee came to discuss the Schedules, so that in discussing this clause they might have been able to make themselves acquainted with the details of the measure. They knew that the Bill was not intended to apply to England. This country would not be affected by it at all. It would apply only to Ireland, and hon. Members were hardly likely to look up old and musty Acts of Parliament for themselves in order to make themselves acquainted with the details of the measure. When the Act was last before the House—in 1848—it was pointed out that the powers proposed to be given to the Secretary of State were very large indeed, and that there was very little check upon the exercise of them. It was pointed out that accusations would be made in anonymous letters addressed to the Secretary of State, and that the Office of the Secretary of State would, in point of fact, have a back-door for the reception of accusations and calumnies against individuals, upon the plausible pretext of securing the public safety, but, in reality, for the gratification of personal spite and vindictiveness. Hon. Members must feel that this was even much more likely to happen in Ireland than in England. In Ireland there were men who had excited the hatred of some of their neighbours, and, under this Bill, they would be liable to be arrested and ordered out of the country if anyone chose to send a letter to the Secretary of State containing accusations against them. He was sorry to find that the Chancellor of the Duchy of Lancaster (Mr. John Bright) was not in his place. In 1848, among the minority who opposed the application of the Alien Bill, were the names of Richard Cobden and John Bright; and when the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) opposed the introduction of the Bill of 1848, the circumstances were very much different from what they were now, because Sir George Grey, in introducing the Bill, did so, not merely on account of the condition of Ireland, but on account of the condition of Europe and of the revolutionary tendencies which were exhibiting themselves in every part of Europe. Sir George Grey stated that Republican principles were spreading, and that the Government were anxious to put a stop to their spread in this country. At that time it was very well known that there was actual insurrection in Ireland against the Sovereign. Not only were there men in Ireland, but Irishmen in America, who were prepared, if they could, to overthrow the power and authority of the Queen in Ireland, and, notwithstanding the fact that they had actual insurrection in Ireland, and that Thrones were tottering all over Europe, the right hon. Gentleman the Chancellor of the Duchy of Lancaster refused to support the introduction of the Alien Act. He should like to know upon what grounds the right hon. Gentleman was prepared to defend the introduction of the same measure now? He (Mr. Leamy) repeated that he was extremely sorry that the right hon. and learned Gentleman the Home Secretary had not already set forth the Act in a Schedule to the Bill. If the Bill were examined carefully, it would be found that it was a codification of all the Coercion Acts which had hitherto been applied to Ireland, with the addition of the abolition of trial by jury. The Alien Act was one which the country was familiar with for some years. For something like 30 years from 1793, it was renewed every year, and every Whig statesman of note, and every man connected with the Liberal Party, gave it a most determined opposition. Yet they now saw the Liberal Party coming in to-day to propose a re-enactment of the law at a time which was not to be compared, as far as danger to public safety was concerned, with 1848 or 1793. He knew perfectly well that the Government would succeed in carrying this clause, as they had succeeded in carrying the other clauses of the Bill. But the Irish Representatives felt that they were justified in making some kind of stand for the preservation of rights which were conferred upon the Irish people by Magna Charter.

Mr. P. MARTIN said, he was strongly opposed to the principle of the clause, and would support any Amendment that proposed to limit its operation. He was glad that his hon. Friend the Member for Waterford (Mr. Leamy) had called the attention of the Committee to the strenuous opposition the Bill met with in 1848 from every Leader of the Liberal Party. They were now considering the question whether they should limit the operation of the Bill to one year, and it was important, he thought, that he should bring under the notice of the Committee the emphatic and stirring words which were made use of in 1848 by the late Sir William Molesworth, and the well-considered opinions then expressed by the right hon. Gentleman who now filled the Office of Chancellor of the Duchy of Lancaster (Mr. John Bright). Mr. Milner Gibson was also one of the most strenuous opponents of the Bill in 1848, both on the second and third reading, and he divided—as far as he (Mr. P. Martin) could recollect without referring to the volumes of *Hansard*—against it in Committee, on the Amendments which were brought forward with the view of endeavouring to mitigate the rigour of the Bill. And, now, had they one single argument brought forward on the part of the Government which was not used when the Liberals opposed the Alien Act in 1848? It was said that they ought to trust to the Government. The right hon. Gentleman the Chancellor of the Duchy of Lancaster, in 1848, criticized that contention, with much vehemence, as a contemptible and a childish argument. He (Mr. P. Martin) would not occupy the time of the Committee by referring to the pages in which the opinions of the Leaders of the Liberal Party might be found recorded. He thought it was quite enough that the House should have full knowledge of the opposition the Act met with from Liberals of note and eminence in 1848. Nevertheless, it was only proposed on that occasion to pass the Act for one year. At that time a provisional Government existed in France, and he believed that there was a rumour, which was well founded, that some 40,000 or 50,000 Frenchmen in London were prepared to enter upon the path of revolution. It was under such circumstances, with a panic of this description existing at the time, that the Act was passed, but not without strong and energetic protests from the Liberal Party. Would anyone suggest for a moment that such a state of things existed at present in Ireland as existed in 1848? They all knew that at that time there were American cruisers, the captains of which absolutely announced their intention of landing on the Irish Coast, and the American and Irish journals openly and boldly announced their intention of uprooting the Government by force of arms. And in 1848 it was under circumstances of this kind that the Act was only passed for a period of one year. Then what ground was there for passing it now during the entire continuance of the present Act? He thought it was an unnecessary and arbitrary course on the part of the Government. They knew that the Alien Act was particularly abhorrent to the Irish mind, because Irishmen could not remove from their recollection the fact that under the old Alien Act of 1793 the first person upon whom the measure operated was a defenceless woman, the widow of Lord Edward Fitzgerald. Although the Government of 1793 made great pretensions that the Act would not be put into force so as to inflict hardship upon anybody, that lady was the first person deported from Ireland. He asked why the Government should insist on introducing a clause of this kind, that could only create irritation and ill-feeling in Ireland? The right hon. and learned Gentleman the Secretary of State for the Home Department complained of the way in which the Bill had been procrastinated in its consideration by the Irish Members. But who were the persons who had in reality obstructed the passing of the measure? It was Her Majesty's Government themselves by introducing clauses of an unnecessary kind, and refusing to listen to any proposals for mitigating their severity. What benefit was produced by passing the Act of 1848? There were Returns furnished after the passing of that Act to show the number of aliens who had been deported under the provisions of such an extremely stringent measure. It was a very valuable Return indeed, and was made to the House of Commons in the year 1850, on the Motion of Lord Dudley Stuart. It showed the number of aliens deported from England and Ireland under the 11 & 12 *Vict.* c. 20; and how many were there? None. Mr. Redington, the permanent Secretary, answered the Return by reporting that the number of persons deported under the Statute, in order to pass which all Constitutional liberty had been ignored, was exactly—*nil.* He (Mr. P. Martin) therefore thought that he was justified in protesting against the clause as altogether unnecessary. The Act of 1848 having proved so inoperative, what reason was there for thinking that the present clause would have a different result?

MR. SEXTON said, the observations of his hon. and learned Friend the Member for the County of Kilkenny (Mr. P. Martin), both on account of the arguments they contained and the facts they had brought under the notice of the Committee, deserved the respectful attention of the Government. He thought the right hon. Gentlemen the Chief Secretary would not venture, after perusing the speech of his hon. and learned Friend, at some future time to make the remark he was constantly in the habit of making, that the clause was a well-tried and well-proved weapon. He should like the right hon. Gentleman to apply that phrase to the present clause, seeing that, after it had been in operation for two years—in 1848 and 1849—the permanent officials in Ireland testified that nobody had been deported under it. If, therefore, it were said to be a well-tried and well-proved weapon, that would be the way of proving it to have been inoperative and useless. References had been made to the opinions of the Whig statesmen of the last generation. He believed that they did not object to coercion in general; but the Whig statesmen of the last generation, and, perhaps, of two generations since, opposed the Alien Act on account of its interference with public liberty. He regretted that Liberals of the present day were pursuing an entirely different course. On a measure which struck a serious blow at public liberty and at the liberty of the individual, a Liberal Government even declined to reconsider their proposals, although it was abundantly proved that they were unnecessary, and that they had been inoperative when carried out on other occasions. In 1848, Parliament, not forgetful of its old traditions, only passed an Alien Act for a period of one year, although, as had been pointed out by his hon. Friend the Member for Waterford (Mr. Leamy), in 1848 Ireland was in a state of open insurrection, and a fierce and desperate armed revolution in Ireland was momentarily apprehended. It was because a revolutionary wave had passed over Europe that Ireland was considered dangerous, and it was thought that no alien from any country whatever should be allowed the right of residence there. What comparison was there between the present state of Ireland and its condition in 1848? Of course, he admitted that a very fierce conflict was being waged in Ireland between those who owned the soil and those who tilled it; but the utmost the Government could allege was that it was a social movement that was taking place in Ireland, and that there had been a popular combination. That was all the Government could allege, and he challenged them to show what parity there was between such a state of things and the state of things which existed in Ireland in 1848, when the Alien Act was last passed. He thought they ought to give some better reason for the introduction of this clause than that which had been given by the Home Secretary yesterday. In 1848 the Act was limited to one year; but in 1848 it was said the House of Commons was in the habit of behaving more reasonably than it did now, and that it did not take an entire Session to pass an Act of Parliament. That was a very good epigram on the part of the right hon. and learned Gentleman the Home Secretary, but it was altogether destitute of truth. He (Mr. Sexton) was not aware that, as a matter of fact, it did take an entire Session to pass an Act of Parliament. In regard to this very measure, the Committee had only been engaged in discussing it for three weeks, notwithstanding the fact that it was a Bill which destroyed the entire liberties of a whole people. He invited the Home Secretary, therefore, to reconsider his statement, and to make it perfectly plain how it was that it took an entire Session to pass a single Act of Parliament. He (Mr. Sexton) was of opinion that there were very important reasons which should induce the Committee to pass this Amendment. What were the powers of the Alien Act? It was not all clear what an Alien Act was, and it might affect persons who were the children of Irish emigrants in America and who were not aliens at all. It would require a very strict legal inquiry in order to find out whether a man was an alien or not. In the case of Michael Boyton, now in Kilmainham Gaol, it was necessary to enter into a strict legal inquiry before the Government could satisfy themselves whether he was an alien or not. The Lord Lieutenant might make an order for the removal of an alien, and if the man did not obey it he might be imprisoned for a month under this Bill, or be placed in the hands of a Queen's Messenger and forced to leave the Realm. Now, this was so extreme a power that he was satisfied it would create great heart-burning between this and other countries, and it was only reasonable that such a power should be limited in its operation to one year. Considering that the foreign relations of the country in regard to Egypt might lead to a European War, it was surely not desirable, in view of the incapacity of this country to face any European Power in war, that the Government should complicate the state of affairs by provoking hostile relations with the United States. In 1848 the Irish element was not very powerful in the United States. Since that time 3,000,000 of Irishmen had been driven there, and now the Irish vote was too strong to be disregarded either by Republicans or Democrats. By passing this clause for a period of three years they would allow it to be in operation at the time of the next Presidential Election, and the question of the removal of aliens would be certain to come up at that Election. The Irish vote was capable of turning the next Presidential Election, and it was for the Home Secretary to consider whether he would or would not, by insisting on this clause being passed for three years, embitter the feelings of exasperation which the Irish in America entertained towards this country.

Mr. GOSCHEN said, the hon. Member who had just sat down said that hitherto the Committee had been only three weeks considering this Bill. He would remind the hon. Member that although they had been only three weeks upon the Bill, the Notice Paper showed as large a number of Amendments as those they had been able to go through during the whole time they had already been at work; so that they might presage from the Amendments that it would require a period of the same length to dispose of them. Unless Members, therefore, took a different course from that they had hitherto taken, much time would still be absorbed before the Bill passed into law. Then, again, he might point out that the three weeks spent upon the Bill had not been ordinary Government weeks; but they had been gained by sacrificing the rights of private Members, by occupying Tuesdays and Fridays, by occupying both morning and evening, by taking the whole of Wednesday, and by continuous labours which interfered seriously with legislation on every other subject. He, therefore, ventured to submit to the Committee that they must not merely consider the number of weeks they had been engaged upon the Bill, but that they must also very seriously consider whether in other Sessions they wished all other subjects to be excluded from consideration as they had been this Session by questions connected exclusively with Ireland. The hon. Member for Sligo (Mr. Sexton) had that day, as he had done before, drawn a comparison between the state of things in 1848 and the state of things existing now, and the hon. Member had pointed out that at that time they had to deal with a political revolution, while now they had only to deal with a social revolution. If he understood the hon. Member rightly, his contention was that in 1848 the situation was infinitely more serious than it was now. But there was one great contrast between the two movements. In 1848, no secret associations, no plans for operating with dynamite, none of those crimes which threatened us now in secret had been developed, or, at least, developed to the same extent. If the movement in 1848 was a political movement, it was in many respects a movement more easy to deal with than the present one, which certainly was not merely social, but was also political. If the hon. Member maintained that the movement he was connected with was only social, there was another movement with which, he hoped, only a small minority of Irishmen were connected, and that was a political movement. Those assassinations which had been regarded with so much sorrow in Ireland were the result of a political and not of a social movement. Hon. Members would not dare to say that those assassinations were connected with a social movement. If they were so connected, with what movement were they connected? They were connected with a political movement, operating possibly through Irish-Americans or through aliens, but he hoped not through Irishmen themselves. Then, let them see whether they could not strike at these aliens through a clause like that which had been introduced by Her Majesty's Government. The hon. Member had dwelt on the danger which existed in 1848, and contrasted it with the danger which existed now. He (Mr. Goschen) believed the opinion of the majority of the people of this country was that we had now to deal with even a more serious state of things than that which existed in 1848, precisely because the movement was working through aliens and in the dark by heinous plots and base organizations, which might or might not be in combination with other organizations in other parts of the country. He wished he could accept the opinion of the hon. Member that this was simply a social movement, and that there was no political danger in it. But it would be idle on the part of the Government and the Committee to conceal the political danger, and they would be blind not to take all the measures they could to strike at the organizations against which the Bill was chiefly directed—organizations which he hoped for the credit of Ireland, as well as for the credit of Great Britain, were mainly conducted by aliens. If they could reach these aliens through this clause, they would do much to relieve themselves and Ireland of a great danger which Irishmen themselves, he was sure, deplored as much as Englishmen.

MR. R. POWER said, the right hon. Gentleman, for the second or third time, had complained of the waste of time which the Irish Representatives had occupied over this Bill. While the right hon. Gentleman was speaking, he (Mr. R. Power) took up the Paper now in his hands, and in the first page of it he saw there were eight Amendments, and out of these five had been put down by English Members. The English Members had taken up a very considerable portion of the time of the House up to the present moment, and on two or three occasions they had consumed by far the largest part of it. The right hon. Gentleman appeared to think that the state of Ireland to-day was considerably worse and of a graver and more dangerous character than it was in 1848; but he did not think the right hon. Gentleman could have very closely studied the history of Ireland or the character of the very powerful revolutionary movement which existed in that country at that time. To show the difference between the state of things then and now, he would read for the information of the right hon. Gentleman accounts of some of the proceedings in some of the Clubs of that time, and some of the resolutions which they had passed. He found that in Tipperary there was a meeting of five Confederate Clubs at Carrick-on-Suir, numbering 600 members in all. No persons, unless they were members, were admitted to the meeting, the object being to ascertain their strength in the event of an insurrection. At that meeting a resolution of the most revolutionary kind was passed, and the right hon. Gentleman could not, among all the speeches which had been made on Irish platforms during the last two or three years, and among all the resolutions passed at meetings in Ireland, point to a single speech or a single resolution as strong and as dangerous as the speeches that were made and the resolutions which were passed at that meeting. In another important county of Ireland the Irish Clubs met at Trim. Fifty persons were present. The usual speeches were made, and one member said he would endeavour to put down the Government unless they put him down, and if he were transported, there was others to put them down after he had left. At Wexford there was a meeting on the 7th of July, at which very violent resolutions were passed, and Messrs. Dillon and Duffy urged the people to provide arms, and said they expected to see the police in the van of the Irish National Guards. At the same place a specimen of "a cheap pike for poor people" was produced, and modes of attack were suggested. In Cork it was reported that about 15 Confederate Clubs had been formed, and it was probable about 2,000 names would be enrolled in them; and he found the Lord Lieutenant writing at that time to the Government to say that he had nothing satisfactory to send, and that the accounts from the country were as bad as they could be. Surely the right hon. Gentleman, in the face of these resolutions and proceedings, would not say that the state of Ireland was more serious or more dangerous to England than it was in 1848. He had often heard quotations made from the speeches of his hon. Friends in Ireland, but none of them could be compared for an instant with the resolutions and proceedings which he had quoted. In fact, the strongest speech quoted in that House by the Home Secretary was the speech of his hon. Friend the Member for Sligo (Mr. Sexton), in which his hon. Friend had said something about a Unicorn. He (Mr. R. Power) contended that the present movement was entirely a social one. Ireland was by no means in the fierce and dangerous state that it was in 1848. He could not understand, therefore, why the Government of 1848 should have been content to pass this Alien Act for one year, and yet that it should be considered that three years were required now. The right hon. Gentleman said that it took a shorter time in 1848 to pass a Coercion Bill through the House of Commons than it did now. He (Mr. R. Power) was very glad that was the case, and he would explain to the right hon. Gentleman why it took a longer time to pass a Coercion Bill in these days than it did formerly. In former days the people were not represented in that House. Irish Conservative opinion was represented, and Irish Whig opinion was represented, but Irish popular opinion was not represented at all. He was glad that that state of things no longer existed, and trusted that his hon. Friends would use every power they possessed within the Forms of the House to prevent the clause standing part of the Bill.

Dr. COMMINS thought he was entitled to say that amongst all the objectionable proposals made in the Bill there was none for which so little case had been made out as the proposal to renew the Alien Act, nor did he think there was one which would be more inoperative when the Bill passed into law. To begin with, what case was made out for the clause by referring to the Alien Act of 1848? The two situations were entirely different. At that time, and in the year 1793, there was no difficulty in recognizing as aliens the Emissaries of the French Republic who were trying to stir up rebellion in England. Their tongue, their dress, and associations, alike betrayed them, and the Government of the day had no difficulty in getting at them. Again, there was then something like open rebellion in Ireland. There were Confederate Clubs, numbering, as was supposed, 3,000 or 4,000, spread over Ireland, and their only need was that someone should come to drill them. The Mexican War had just terminated, and there was a number of Yankees who had learned a little of war in Mexico, some of whom did come over to Ireland and undertook to drill these Confederate Clubs. Therefore, at that time, there was not only a more pressing necessity for a measure of this sort, but there was no difficulty in ascertaining the men against whom it was to be carried out. But here the case was entirely different. He asked what statistics had been given to the House to justify the re-enactment of the Alien Act. They had not been told how many aliens there were in Ireland. Could the Government give the slightest information as to whether there were more than 100 aliens there? There was not a single piece of evidence before the Committee that there were any aliens of a dangerous character in Ireland at all. They had two questions to consider. Were there aliens in Ireland, and were they dangerous to the State? No doubt, there had been six or seven men of this class, who, on Land League platforms, propounded some peculiar social and economic theories; but these had all been locked up, and he failed to find evidence that there were any more of them. But supposing there were some of these Americans still in the country, how were these aliens to be identified? He had shown, with regard to the aliens of 1790 and 1848, that there was nothing in the world easier than to identify them. But the alien who took part in an illegal society now, how was he to be identified? His dress would not betray him, nor would his speech do so, because he might be a man like Michael Boyton, of Irish birth, although an alien in law.

The CHAIRMAN said, he must point out that the hon. and learned Member was discussing the principle of the clause and not the Amendment, which proposed to limit the re-enactment of the Alien Act to one year.

Mr. HEALY wished to ask a question on a point of Order. The Amendment proposed to limit the application of the Alien Act to one year instead of the period of three years. He asked whether that did not involve the whole question as to the Alien Act? He was unable to see how they could discuss the proposal with regard to one year without entering upon the question of the Alien Act as a whole.

The CHAIRMAN called upon Dr. Commins to proceed.

Dr. COMMINS said, he was urging upon the Committee that the Act of 1848 was of such a kind that the shorter the time for which it was re-enacted the better. He would, however, conclude that argument as briefly as possible. There were difficulties in the way of the operation of the Alien Act which never existed before. That had been proved. And it would be almost impossible to put the Act in force without running the risk of complications and embarrassments between this country and America too shocking to contemplate. He repeated that the provisions of the Act were so difficult of execution, and so dangerous in themselves, that the shorter the time the better for which it was to be re-enacted. He could not admit that there was any necessity for the Act at all; but, on the supposition that it would be useful for the purpose of clearing dangerous foreigners out of the country, it would do that as completely in one year as it would in three, and, therefore, the longer period was, in his opinion, unnecessary. His view of the matter was, that the moment these dangerous foreigners—if any such existed—found that the eye of the police was upon them, they would clear out of the country without waiting to receive any notice; and further, that they were not likely to come back again. That being so, it would be quite unnecessary to continue this Act unless it was intended to make it a prohibition against foreigners entering the country by making it dangerous for them to do so. There had been a most unfair argument adduced in support of this clause. References had been frequently made to events recently occurring in Ireland—to assassinations, the authors of which, together with their motives, were unknown. It was assumed, without an atom of evidence, that these acts were committed by Irishmen, and the assumption was pressed into the argument, by hook or by crook, by Her Majesty's Government, and almost every hon. Member who supported this Bill. It was used by the Government to show that they had information that they did not wish to disclose, and it was put forward by hon. Members, as it had been by the right hon. Gentleman the Member for Ripon (Mr. Goschen), who, in speaking of the recent mysterious murder, said, in effect, to Irish Members on that side of the House—"Oh, you know all about it; and you know against whom this provision is directed, although it does not suit your purpose to admit it!" Now, he protested against this unfair and unmanly style of argument. If the right hon. Gentleman had any evidence to show that any hon. Member on those Benches had any cognizance of these murders, and was favourable to those unhappy occurrences, let him, like a man, say so; but he condemned this practice on the part of hon. Members, of insinuating what they were afraid to state openly, and, so to speak, sapping the reputations of others. He should support the Amendment of the hon. Member for Wexford, on the ground that even if the re-enactment of the Alien Act were necessary, it would probably do all that was required to be done in a week, certainly in a year; and it was therefore unnecessary to keep it in force for a longer period.

Mr. HENEAGE said, he repudiated the charge brought against the right hon. Gentleman the Member for Ripon (Mr. Goschen), that he had attempted to insinuate more than he said. He was certain that the right hon. Gentleman would always state boldly what he had to say without having recourse to insinuation. It was most unfair to put forward such a charge in the absence of his right hon. Friend. With regard to the Amendment before the Committee, he thought the hon. and learned Gentleman who had just sat down had answered his own arguments. The hon. and learned Member said it was unnecessary to re-enact the Alien Act for a period of three years, because the persons against whom it was directed would make their escape very soon after the Bill passed into law. Well, if that were so, it would not be put into operation, because there would be no aliens in Ireland to operate upon. For his own part, he regarded the clause as the most valuable in the Bill. It was valuable both for Ireland and England, and it would save the honest and loyal people of the former from the presence of those whom in their hearts they would be glad to get rid of. The clause would only operate against those foreigners who had no ostensible, or, at any rate, no honest way of getting a living, and, that being so, it would constitute a benefit rather than an injury to the persons concerned. It appeared to him that the clause would never really come into operation, because the persons it was intended to operate upon were not sufficiently brave to meet it, and, therefore, it would seem that there was no necessity for continuing the discussion as to whether it should remain in force for one or three years. If, however, the Alien Act required to be re-enacted in the present exceptional circumstances, he thought it should continue to run for the same length of time as the Bill of which that re-enactment was to form a part; nevertheless, he hoped, for the sake of Ireland, that all action under the Act in question would lapse before the Bill expired, and that, he felt sure, was also the desire of Her Majesty's Government.

Mr. WARTON said, it was only fair to Her Majesty's Government, who had come forward with a scheme for the repression of crime in Ireland, that their scheme should be looked at as a whole. Her Majesty's Government having declared on their responsibility that a certain provision was absolutely necessary for the repression or diminution of crime in Ireland, it was incumbent upon hon. Members to accept that declaration. It was absurd to say that the Government were to be trusted with all the exceptional powers of this measure but one for a period of three years, but that in the matter of that one they were only to be trusted for one year. He repeated that it was only fair towards the Government that their complete scheme should be carried out. Now, with regard to the position taken up by hon. Members on that side below the Gangway, it seemed to him—having no inclination to judge Ireland more harshly than it ought to be judged—that, as an act of charity, one ought to assume that the crime committed in Ireland was the work of aliens. And that being his view, he could not understand why hon. Members below the Gangway were so anxious to espouse the cause of aliens. That they should do so seemed a mistake, because it might be supposed to be their interest to show that the crimes committed were committed by aliens. He knew that the horrible murders done in the Phœnix Park were repudiated by Irish Members on behalf of their fellow-countrymen, and that alone should be a reason for making them as careful as possible to throw the odium of them upon aliens. Why they did not do so he was at a loss to see. But again, from their own point of view, if the re-enactment of the Alien Act was to be for one year only, it would result, when that period expired, that in the event of trouble continuing in Ireland, districts which would otherwise not be proclaimed would have to be proclaimed, in order to bring suspicious strangers under the 9th section of the Act. He put it to hon. Members to consider what the effect of that would be. He agreed in the view expressed by the hon. and learned Member for Roscommon (Dr. Commins), that some of these aliens would run away when the Act was passed. On the other hand, he had a strong opinion of his own that when the limited period of one year had expired they would come back again. He did not like the idea of the Irish people being punished by this Act while aliens went free, and, therefore, recommended his hon. Friends not to persist in their opposition to the clause.

Mr. METGE said, hon. Members on those Benches had been accused from every part of the House of repetition in their arguments. It was not often that he occupied the time of the House; but he was compelled, even at the cost of repeating some of the arguments already used, to reply to English Members who had just spoken. The right hon. Gentleman the Member for Ripon (Mr. Goschen) had risen a short time since, and, with all the authority and weight which attached to him as a leading Member of the Liberal Party, had argued at length that they were not in the face of a social but a political revolution in Ireland, and that this Act was to be extended, and its operation looked forward to with the hope of success in putting down that political revolution. He contended that, before the right hon. Gentleman got up to make that statement, and cause it to be transmitted throughout the length and breadth of the land, he should, at least, have furnished himself with some facts wherewith to support it. That argument had again and again been put forward by the occupants of the Treasury Bench, without a shadow of proof. Under such circumstances as these, he thought the charge that Irish Members repeated their arguments unnecessarily was somewhat inconsistent. He said, if the Government proved that there was a political revolution in Ireland, he would vote for the Bill at once. Again, the Chief Secretary had said that the persons whom it was wished to exclude were centres of political agitation. But, if that were so, why could the right hon. Gentleman not put his hand upon them at once? The hon. and learned Member for Roscommon had pointed out that there was now no means, as there had been formerly, of recognizing the persons whom it was said this clause was directed against. Did the Government mean to say that they intended to use the clause against a man because he was an alien apart from any suspicious circumstances that might surround him? His hon. and learned Friend had said that the clause would have the effect of preventing foreigners visiting the Dublin National Exhibition; but, in reply to that argument, the Government had stated that it was not to be supposed that the Act would be put in force in any tyrannical manner—that it would be used only against those aliens who were regarded with suspicion. But, if that were the intention of the Government, he asked why they could not avail themselves of the full powers which they already possessed of proceeding against aliens suspected of treasonable intent? Then the hon. Member for Great Grimsby (Mr. Heneage) repeated the old and fallacious argument that a bad law might be justified by its being executed in a mild and considerate manner; and, further, that it might be also justified if it could be proved that it would only be used to a certain extent—that the whole of the power given to the Government would never be required. Those arguments had been repudiated over and over again by hon. Members on those Benches; nevertheless, they were as constantly repeated by the Members of the Liberal Party. Again, the hon. and learned Member for Bridport (Mr. Warton) had just told the Committee that they were to depend on the Government in this matter, and take this legislation as a whole. But, if that were so, why did the House go into Committee at all? They were in Committee for the purpose of improving the Bill, and trying to limit the powers demanded by the Government, as far as they considered it proper that those powers should be limited; and there could be no stronger proof that this was necessary than the argument adduced by the hon. Member for Waterford (Mr. R. Power), who pointed out that eight of the 12 Amendments to this clause, which appeared on the Notice Paper, were in the names of English Members. The right hon. Gentleman the Member for Ripon (Mr. Goschen) had, as usual, blamed Irish Members for the length to which the discussion on this Amendment had been extended; but he thought he was justified in answering that oft-repeated statement by the hackneyed argument that this Bill contained within itself at least five or six separate Acts, any one of which, if brought forward by a Conservative Ministry, would have been opposed tooth-and-nail by hon. and right hon. Gentlemen opposite. There was not one of those Acts which had not been opposed at different periods of our history by the Liberal Party to the fullest limit which the Rules of the House permitted. They had before them in one Bill a most drastic measure of coercion—an Insurrection Act—full powers to suppress public meetings in Ireland for whatsoever purpose they might be held; then they had the establishment of a practically absolute censorship of the Press; and now they were asked to re-enact the Alien Act of 1848. Why, if they were to carry on the discussion to the end of the Session, he thought they ought not to be blamed. Irish Members were justified in using every means in their power to secure ample consideration of a Bill which, as he had already shown, contained within itself the substance of five or six Acts of Parliament.

Mr. TREVELYAN said, the hon. Member for Sligo (Mr. Sexton) had stated that after the passing of the Alien Act of 1848 no one was deported. Allowing that statement to be correct, it must be borne in mind that the object of this clause and the Act of 1848 were very different, and especially so in the minds of the public men who proposed them. The Alien Act of 1848 was passed under the influence of political apprehension and political feeling. No one who remembered *Punch*, and the other comic papers of the time, could doubt what that feeling was. The belief was that there were 50,000 French Democrats in London who might attempt to overthrow the Constitution and upset the Monarchy. In the course of the speeches which had been made in condemnation of the re-enactment of the Act of 1848, the Government were asked why they wanted to expose Englishmen to the machinations of these people? But it was not for political reasons that the present Government proposed that the Alien Act should be re-enacted. They believed that the crime committed in Ireland was hatched abroad; that those who brought the funds which subsidized the most serious crimes were aliens; and that those who had actually perpetrated, and intended to perpetrate, crimes of the blackest dye were aliens. He held in his hand a copy of *The United Irishman*, a paper which he had carefully avoided quoting when the clause relating to the Press was under consideration, because it would have been unfair by such means to raise the feeling of the House against papers published in Ireland. But the case was entirely different when it was a question of keeping out of Ireland people who really believed in *The United Irishman*. The issue of that paper which came to this country yesterday, contained absolutely the most atrocious piece of writing that he could conceive as coming from the human brain. It was stated in verse that the people who committed the dreadful murders in Phœnix Park were Americans, and then, turning from poetry to prose, the editor said deliberately that if the English would not quit Ireland peaceably, every one of them should meet the fate of Cavendish and Burke. That was the sort of hideous balderdash which was actually published and read by the small knot of people who, on a distant shore, concocted the crimes committed in Ireland. He did not say that *The United Irishman* had got a public in Ireland. He believed and hoped it was not so. But it certainly had a public in America, and part of that public came over here for the purpose of carrying the sentiments which it proclaimed into execution. Her Majesty's Government, then, were persuaded that this clause was necessary, and that, being necessary, there was no reason for abridging the period of its operation. It seemed to him preposterous that the duration of the clause for the deportation of foreigners should be abridged, while the rest of the Bill, which affected the liberties of our fellow-citizens, was to remain in force for two years longer. The hon. and learned Member for Roscommon (Dr. Commins), who argued at some length against the clause, had said that all the good which could be got out of it could be obtained in 12 months—he believed the hon. and learned Gentleman said it might be in a month or a week—because as soon as the Bill passed into law with this clause in it, the people against whom it was directed would clear out of the country. That might be perfectly true; but what guarantee was there that they would not come back as soon as the clause expired? Again, if there was one part of the Bill which ought to be continued for the full period asked by the Government it was this clause, because they earnestly hoped that, the Act being wisely and justly administered, by the end of a certain time there might be a change for the better in the feeling of the class amongst whom agrarian crime was rife. But there was no means whatever of influencing the handful of scoundrels who subsidized and planned these horrible crimes; and, therefore, the best way of dealing with them was to keep them out of the country.

Mr. DILLON asked if the right hon. Gentleman knew whether O'Donovan Rossa was an alien or not?

Mr. TREVELYAN said, at that moment he could not pretend to say if he were an alien or not. He believed he was not an alien by birth. The Government knew that a certain number of the most dangerous characters in and about Ireland were aliens.

Question put.

The Committee *divided*:—Ayes 72; Noes 33: Majority 39. — (Div. List, No. 169.)

Mr. MORGAN LLOYD said, he rose to move an Amendment in page 6, line 38, to leave out from the word "Act" to the end of the clause.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. MORGAN LLOYD said, he was obliged to the hon. Member opposite (Mr. Gill) for procuring him an audience, although he was afraid the hon. Member had not done it with the object of facilitating his (Mr. Morgan Lloyd's) moving his Amendment. The action of the hon. Member was, no doubt, a part of that system of opposition and obstruction which had notoriously prevailed on the Opposition side of the House below the Gangway during all their proceedings on this Bill.

Mr. DILLON said, he did not think the hon. and learned Member was entitled to say that a system of Obstruction had prevailed amongst the Members on the Opposition side of the House below the Gangway.

Mr. GILL said, he would ask the Chairman to request the hon. and learned Member to withdraw the statement he had made. He (Mr. Gill) had not drawn attention to the fact that there were not 40 Members present for the purpose of Obstruction; but, seeing that this was a very important Amendment, and that there was a very thin attendance of hon. Members, he thought it right to move that the Committee should be counted, in order that the hon. and learned Member might obtain a proper audience. As a proof that he had not acted in this matter with any intention of obstructing the progress of the Bill, he might say he had not left his place after moving the count, as was generally done when hon. Members wished to delay the progress of a Bill.

The CHAIRMAN: If the hon. and learned Member imputed Obstruction to the hon. Gentleman who has just risen, it is wrong, and he should withdraw the imputation.

Mr. MORGAN LLOYD said, he desired to withdraw any expression that, in the opinion of the Chairman, was one that he ought not to have made use of. He would accept the assurance of the hon. Member, and would repeat what he had said to his credit — namely, that he had moved that the Committee should be counted, in order to increase the audience to listen to the very short speech which he (Mr. Morgan Lloyd) had to make in moving this Amendment. There were two Amendments standing in his name—the first being in line 37, after the word "effect," to insert "throughout the United Kingdom of Great Britain and Ireland." This Amendment he did not propose to move, as he thought it altogether unnecessary; but what he did propose to move was in line 38, after the word "Act," to leave out to the end of the clause. The object of the Amendment was to provide that the Alien Act should be revived in its entirety, without any limitation to Ireland — that the Act should come into operation over the whole of the United Kingdom. From the discussion that had already taken place on this clause, it appeared that strong objection was made by some hon. Members, particularly by hon. Members on the other side of the House below the Gangway, to the renewal of this Alien Act at all. The hon. Member for Wexford (Mr. Healy) yesterday, whilst objecting to the revival of the Act, suggested that it would only be fair, if the Act was renewed at all, that it should be renewed with regard to England and Scotland as well as Ireland. Well, for once, he (Mr. Morgan Lloyd) was entirely agreed in opinion with the hon. Member for Wexford. In this instance he was agreed that the law applicable to England should be the same as that applied to Ireland, and he maintained that opinion for reasons which he should give immediately. But before he gave those reasons, perhaps the Committee would allow him shortly to explain the provisions of the Act. The Alien Acts, from time to time, passed by the Parliament of this country, were really Acts that were passed more for the purpose of limiting the prerogative of the Crown than extending the power of sending aliens out of the country; because, in his opinion, there was no doubt that the Sovereign of the country had at all time power, by the Common Law, and by virtue of his Prerogative, to order aliens out of the Realm. That, he believed, was the old Common Law of this country. No doubt there had been a great and very proper disposition on the part of the people of this country to admit aliens to trade with us, and to live amongst us as freely as possible; and, for this reason, no Sovereign in modern times had exercised the Prerogative without the special sanction of Parliament. When Parliament had, from time to time, interfered it had passed Acts authorizing what the Sovereign had already the right to do, with certain limitations. Referring to the Alien Act of 1848, which was the only Alien Act they had to deal with at present, that Act, they would find, contained provisions which were most reasonable with regard to aliens as well as to the people of this country. It provided that the Secretary of State might, under certain circumstances, in England, and the Lord Lieutenant in Ireland, order an alien out of the country. But what were the conditions? They were, first, that an information should be laid. The person who gave the information had to sign that information and give his address; and on that information the Secretary of State in this country, and the Lord Lieutenant in Ireland, had to form his own opinion, and come to a conclusion as to whether the continuance of the residence of the particular alien who had been allowed to come to England or Ireland would be dangerous to the public tranquillity of a particular district. He must come to this conclusion, and, if he did not, he had no right, under the Alien Act of 1848, to issue his warrant in the matter. There was another condition, that the Act should not apply to any alien who had been resident in the United Kingdom for three years. That was another limitation of the ancient Common Law and the Prerogative. There were still further limitations—for instance, under certain circumstances, the alien, if he had reason to complain, or thought he was aggrieved, might apply to the Privy Council for redress. Under certain circumstances, the alien might, and, in fact, in all circumstances where the Secretary of State or the authorities had gone so far as to order an alien out of the country, the alien had a right to appeal to the Judges of the land. He (Mr. Morgan Lloyd) asked whether those provisions were not fair, and whether any alien or any Foreign Government would have any reason to complain against the law of this country if that Act had been a permanent Act? It seemed to him that, even if it were a permanent Act, it would not go beyond the law existing at the present moment in almost every Continental country. Well, it was proposed to extend that law to Ireland. Why, he would ask, should it not be also extended to England and Scotland? Wherever there was no reason to the contrary, the laws of the three countries should be similar—there ought to be no difference whatever between the law of England and the law of Ireland, except when it was absolutely necessary. He based his Amendment, first of all, upon that consideration. He saw no reason to think that there was any essential difference between the necessity for this Act in the one country and the necessity for it in the other. What was the object of reviving the Alien Act at all? There had been conspiracies on the other side of the Atlantic, conspiracies to commit crime in this country and in Ireland, and, for aught he knew to the contrary, to commit crime in Scotland. And attempts were believed to have been made by aliens in all the Three Kingdoms to commit outrage and crime. There were associations of men living on the other side of the Atlantic—men who were not fit to be named as members of the human family—who were concocting the worst crimes imaginable to be carried out by the worst and most dreadful means at the disposal of man, regardless of the innocent persons that might suffer through explosions and other outrages. Such men, he contended, were worse than pirates. Pirates had been called the enemies of the human race, but these men were worse than pirates; and, if it were possible for the human race to show that these people were not members of it, it would be a good thing, for they were a disgrace to humanity. These were the men who sent emissaries to this country, using the inventions of modern science, using the various explosives that had only been recently invented against everybody who might stand in their way. These people expressed themselves at public meetings on the other side of the Atlantic as determined to get rid of the English Government from Ireland by every means in their power. They declared themselves the enemies of the English Government and the enemies of the English people. They expressed their intention to strike a blow against the English Government wherever they could. They threatened to burn London; they threatened to destroy the shipping of Liverpool, and they had used other threats of a similar description. And why these threats had not been carried out, or attempted to be carried out, was because those who made them had been unable to fulfil them. He asked, with those associations on the other side of the Atlantic in communication probably with some of the fraternity in Ireland and in London, and, he had no doubt, in other large towns—with all those communications going on, and all those threats—was it reasonable for the Government to give an opportunity to those foreign emissaries to come here and carry out their designs so far as they possibly could? It was the duty of the Government to protect the Queen's subjects against such attempts, and to assume the power necessary to enable them to do so; so that if they thought there was an emissary coming from New York to commit outrages here or in Ireland, they might be able to meet him on his way coming in, and send him back to the place from whence he came. The power had not been abused when in operation before, and he did not think it would be abused now. It would be less likely to be abused in England than in Ireland; but he did not think there was the slightest possibility of its being abused in either country. He should think the clause would be more perfect if extended to the whole of the United Kingdom. He believed that the effect of reviving the Alien Act, and limiting it to Ireland, would be more injurious to England and Scotland than if it had never been revived at all, because the result would be that foreigners coming over for the purpose of committing offences would know that they would have no chance of landing in Ireland. They would know that they would be sent back immediateiy, and would, therefore, land in England and carry out in this country the very purposes they would otherwise have carried out in Ireland. It would lead to foreigners flocking into this country in order to effect their nefarious designs. If the Act were revived at all, in justice to the people of England, it ought to be revived so as to apply to the whole of the United Kingdom.

Amendment proposed, in page 6, line 38, to leave out from the word "Act," to the end of the Clause.—(*Mr. Morgan Lloyd.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR JOHN HAY said, he had very little to add to the arguments which had been so well put before the Committee by the hon. and learned Gentleman who had just moved the Amendment. Without consulting with anybody else, he (Sir John Hay) had given Notice of an Amendment of a similar kind. He represented the Scotch constituency which lay nearest to Ireland. They were within 20 miles of Ireland, and if the Bill was passed without that Amendment, they would become an Alsatia—they would be the place where all the aliens who had designs upon Ireland, and who were expelled from that country, would take refuge, with a view of returning to it when they could to perpetrate their evil designs—to carry out the object for which they had crossed the Atlantic. He, for one, would be perfectly satisfied with giving the Home Secretary (Sir William Harcourt) power, through the Lord Advocate or the Procurators Fiscal, to make the necessary arrangements under this Act; but it must be borne in mind that serious delays would occur through the necessity for communication on the subject of those aliens between the Irish Government and the authorities of the Home Office. He (Sir John Hay) respected the right of asylum, and the hospitality offered by England to all foreigners; but when that right and that hospitality were used by all the miscreants of the earth, in the interest of the country and for the restriction of crime, it was desirable that those people should be expelled from the country under the Alien Act that was now about to be revived. For these reasons he would urge most strongly upon the right hon. and learned Gentleman the Home Secretary the adoption of the Amendment, believing, as he did, that Scotchmen of all opinions would agree with him that that portion of the clause which the hon. and learned Member had just moved to omit should be left out, and that the Alien Act should be extended to all three countries alike.

Mr. HENEAGE said, he supported the Amendment because he believed that if there was any excuse for re-enacting the Alien Act the re-enactment ought to be made, like a blockade in time of war, complete and effectual. He believed that if the re-enactment were confined to Ireland it would never be either complete or effectual. This Amendment, if it were adopted, would do more to relieve the Irish people—the loyal and poorer classes—from the effect of the other stringent clauses than all the Amendments moved to other parts of the Bill, because he believed the great cause of all the evils they suffered from were those aliens who were imported into the country. If these people were effectually got rid of, a great deal that Ireland was now suffering in consequence of their action would be removed. He thought it desirable that the clause should be extended throughout the United Kingdom for these reasons, and because it would not in any way affect the peaceable and well-disposed. It was said that foreign merchants and foreign traders would be driven away from the country by this clause; but that he did not believe. The well-disposed would remain, and would not be interfered with here or in Ireland, the people in both countries would be a great deal happier, and feel greatly relieved by those who lived on disorder being driven from their midst. He did not believe the clause would be effectual in the case of Ireland unless it were applied to the Three Kingdoms. As it now stood, it would only really affect mischievous desperadoes who had evaded warrants there, and would drive them all to England, where they would be free to commit their misdemeanours. If these people evaded warrants in Ireland they would come over to London, Manchester, Liverpool, Glasgow, and hide amongst the teeming thousands in these places, there to conspire treason and keep Ireland, through their paid instruments, discontented and unquiet, besides disturbing the peace of England. He did not think it would be a kindness to the Irish people to ask them to endure this exceptional Act, and, at the same time, suffer the misery of having these idle and ill-disposed aliens—who subsisted on outrages, who promoted scares, and destroyed confidence—living close to them in another part of the United Kingdom. If we in England asked the Irish people to endure something for the benefit of their country we ourselves must not shrink from bearing any share of the inconvenience that might fall to our lot. He would put it on grounds which, though somewhat lower, still were fair and reasonable grounds. At the present moment it could not be denied that the extra duties the police were called upon to perform tended either to increase the numbers of the Force or to a large amount of extra pay being given to them. This was a question for the English taxpayer, and for those who were anxious to bring about a reform of the local burdens of the country. He believed that if these ill-disposed aliens, who, whilst themselves contributing nothing, increased, not only the Imperial, but local burdens of the country, were turned out of the United Kingdom, our local taxation would be beneficially affected. It would be a great relief to us, and he believed that the people would be received back with a very bad grace by America, or whatever country they belonged to. At a time when our Royal Family, our statesmen, and our public buildings had to be guarded, when it was notorious that sentries round the Government buildings, barracks, and military and naval depôts were doubled; when the police were put on extra duty, and the soldiery, in addition to double duty, were kept under arms in reserve; when Fenians were enlisting in our regiments, and large stores of arms were discovered having no ostensible owners, it was necessary that something should be done to reassure the public. It might be that we were under a scare; but whether or not that was the case, these things should not be tolerated if they could be put a stop to. He believed that a great deal of the present unsatisfactory condition of affairs could be terminated, and very easily, by extending the provisions of this clause to England and Scotland. It was desirable for all parties that they should be so extended, and he trusted the Irish Members would agree with the Amendment before the Committee, as it was to the interest of the people of Ireland that they should do so. He believed that the English people were so anxious that peace and order should be restored in Ireland, and were so utterly ashamed of the present condition of affairs in that country, that they would readily submit to some inconvenience to bring about a more satisfactory state of things. All loyal and patriotic persons would gladly welcome the Amendment in the interests of their Queen and country, and for the preservation of law and order.

MR. DILLON said, he did not share the views of the hon. Member for Wexford (Mr. Healy). He did not approve of this Amendment. The hon. Member who had just spoken had said English Members were anxious to make the law of Ireland the same as the law of England. Then, why not apply the whole of that Bill to England? He would take the right hon. and gallant Baronet (Sir John Hay) at his word, and withdraw his opposition to this clause if the Committee would include England and Scotland in the whole Bill. An hon. Member had said that there seemed to be an element of fear that if the clause passed in its present shape all the aliens expelled from Ireland would take refuge in England and Scotland—that England and Scotland would become places of refuge for all the desperadoes at present in Ireland. Did not Government know that there was hardly a revolutionary society in the whole of Europe that had not its head-quarters in this City of London? Would the Government be prepared, when they had this Act in operation, on representations being made by the Governments of foreign countries that revolutionary agents were at work against them in London, to expel the foreign emissaries who were domiciled in England. Russia, Italy, Germany, and France would ask them to expel from this country persons who were troubling them with plots and schemes infinitely more dangerous and deadly than the schemes of Irish-Americans in London, and in other parts of the United Kingdom. He was astonished to hear a Member of the Liberal Party speak of the Alien Act as though, in his opinion, it ought to be made part of the permanent law of the United Kingdom. He did not wish to insinuate anything against that hon. and learned Member (Mr. Morgan Lloyd); but if he had not been a Member of that House whose character was above suspicion, he should certainly have thought that he had been unduly indulging in a course of conviviality. The hon and learned Member seemed to be of opinion that England and Ireland were overrun by desperadoes, who were plotting every kind of horrible crime, and that we were all of us in danger, at any moment, of being blown up. The hon. and learned Member said that these foreign emissaries in this country made use of explosives which had only recently been invented. What explosives did he mean? He (Mr. Dillon) had not heard of any of these things. He had heard of proceedings in Ireland which he very much regretted, and which he very much condemned. But when the hon. and learned Member spoke of explosives having been used which had only recently been invented in this country and in Ireland, his memory did not serve him as to what the hon. and learned Member meant. The hon. and learned Member had said that if the Alien Act were made part of the permanent law of the country, we should not in England be going further than the powers in force in every other country in Europe. Then, had England come to this, that she was willing to accept the laws in force in the Continental countries of Europe? If England were prepared to say that because the Continental Governments of Europe had acquired certain powers, therefore such powers should be conferred upon the English Executive, this country would have departed from the traditions of her past. But he could not help thinking that the hon. and learned Gentleman was making a statement that any Englishman would, up to this, have been ashamed to make in that House, and that very few Englishmen would care, in the future, to endorse. What were the conditions under which the Home Secretary or the Chief Secretary for Ireland were to be entitled to expel an alien? They were, first of all, to have information laid by an individual who would give his name and address. But the hon. and learned Gentleman forgot that that name and address was not to be made public. The letter or document giving information against an alien was, to all intents and purposes, to the man to be punished, an anonymous communication. How would the Lord Lieutenant be able to know, at the outset, the credibility of any person who chose to sign his name and give his address in giving information against an alien? Let them take an illustration of what would occur in Ireland under this clause. Take the letter which was sent by Lord Shaftesbury to Earl Cowper. Lord Shaftesbury stated that the late Mr. Burke had stated that Mr. Gladstone was responsible for all the crimes and outrages in Ireland. The late Lord Lieutenant (Earl Cowper), no doubt, would not credit that statement; but he said he knew the late Mr. Burke to have been a man of the highest respectability and honour. Supposing that person had written to Earl Cowper stating that a certain alien—whose whole means of living were connected with his residence in Ireland—was dangerous to the district in which he lived, would Earl Cowper have believed him? Unquestionably, and that unfortunate alien would, in all probability, have lost his means of living. There certainly must arise a very curious reflection in the mind of any English Member when he saw an hon. Member standing up behind the Treasury Bench of an Administration that called itself Liberal, and heard him speaking of the Alien Act in terms that he (Mr. Dillon) might almost describe as terms of affection—speaking of it as though he would have it the permanent law of England and Ireland. The hon. and learned Member (Mr. Morgan Lloyd) spoke of the Alien Act as merely a limitation in the Prerogative of the Crown. He spoke as though it were a Prerogative of the Crown which every Englishmen was ready to recognize to expel aliens. All he (Mr. Dillon) could say, if that were so, was that the Royal Prerogative had made a very considerable advance since the days of Fox. Speaking on a similar subject, Fox denied that it was the Prerogative of the Crown to expel an alien from the country; and, on the second reading of the Alien Act of 1848, some of the most honoured names of the Liberal Party had characterized that Act as almost identical with the hateful Law of Suspects passed in the Reign of Terror. Sir William Molesworth had moved the rejection of that Act, and in the course of his speech had said that, as far as aliens were concerned, it would be a law analogous in principle to the famous Law of Suspected Persons of 1793, which for 33 years had been consistently and strenuously opposed by every man of eminence who belonged to the Whig or Liberal Party. Lord Lansdowne, Lord Grey, Mr. Fox, Lord Abercrombie, Lord Melbourne, Mr. Whitbread, Sir James Mackintosh, Mr. Baring, and a number of other men, including Lord Holland, all expressed their detestation of the measure, not in view of any particular clauses in it, but in regard to the whole principle of the power of expelling aliens under any circumstances and with any restrictions. In 1824, when the Alien Act was introduced for the last time, until it was introduced in 1848, Lord John Russell said he hoped that was the last time they should hear of such a Bill, convinced as he was that after the expiration of the Act they would look back upon it as a measure that ought never to have been passed. And Lord John Russell, it must be borne in mind, spoke at a time which, in the gravity of its dangers and its tremendous convulsions, was not to be for a moment compared with the condition of things at the present moment. ["Oh, oh!"] What he said was perfectly true. At the time at which Lord John Russell spoke, he was in face of the action of the Propagandists of the French Revolution, when the Habeas Corpus Act was suspended in England. Mr. Joseph Hume spoke against the Bill, and he found in the list of "Ayes" and "Noes" in the second reading of the measure—which no one would contend was less a necessity in 1848 than it was now—he found the names—not in the "Ayes," but in the "Noes"—of Mr. Richard Cobden and Mr. John Bright. The measure of 1848 was introduced at a time when there was open rebellion in Ireland, and when the revolutionary party was largely organizing abroad. How did it come, then, that the Chancellor of the Duchy of Lancaster (Mr. John Bright) had so changed his opinion that he had now, when the times were much less dangerous than they were in 1848, fallen in love with the Alien Act? He (Mr. Dillon) was opposed to this clause for Ireland; and, for the same reasons, he was equally opposed to it for England. English Members might suppose that Irish Members had as great a prejudice against Englishmen and English institutions as the English Members had against Ireland and its people. But that was not the case. He (Mr. Dillon) had a great admiration for England and English institutions. He had always believed that England was one of the first countries in the world; and he had no desire, although hon. Gentlemen representing English constituencies supported this Amendment, and expressed their willingness to forfeit their own freedom in order to punish Ireland, to be a party to that transaction. At the same time, he thought that nothing could be more preposterous and more absurd than to pass an Alien Act for Ireland whilst they left Ireland open. ["Hear, hear!"] Hon. Members said "Hear, hear!" but his meaning was that there was but one way out of the difficulty, and that was, to revive the Alien Act for neither country. If they passed it at all, they would be in this difficulty—that they would have to free themselves from the assassins and members of revolutionary societies, who took refuge in this country from the Continental countries of Europe. For years past this country had afforded shelter to the scum of all nations, and England would find herself in an unpleasant situation if she attempted to alter her attitude in this respect. The best way out of the present difficulty was to abandon the clause altogether and leave Ireland and England free.

MR. ARTHUR PEEL said, that the hon. Member who had just sat down, and the hon. Member for Sligo (Mr. Sexton), had on previous occasions asked the Committee to compare the state of things in Ireland at the present moment with the state of things in 1848, when the Alien Act was passed. The hon. Member himself had called attention to the fact that in Ireland in those days there was a political organization, and they were asked to compare the state of things then with the state of things now, when, according to the hon. Member for Wexford (Mr. Healy) and the hon. Member for Tipperary (Mr. Dillon), there was only a social conflict between those who tilled and those who owned the soil. He (Mr. Peel), for one, like other Members, had watched that struggle, and had come to the conclusion that, although the agrarian difficulty might originally have been the root of this matter, they had long passed out of the region of agrarian difficulties and had entered the region of political organization, which was dangerous to the interests of Ireland and of the Empire. He thought that those who were asked to compare these periods should not forget to take into account this great fact, that between 1848 and 1882 the whole aspect and condition of things had changed; that the powers of attack had increased in a far greater proportion than the powers of defence; and that it was very easy for secret societies to organize their plots, and to take such steps as rendered it very difficult for the constituted authorities, unless they were armed with fresh powers, to meet them. This was not a time to talk of Constitutional rights. When they were fighting with these secret societies, as he believed they were fighting with them, they were practically fighting with one hand behind their backs. It would be an evil day for this Liberal Party or for any other Party in that House, if the Executive Government showed an incapacity or a weakness to deal with organizations which took root in foreign countries, and found their stimulus and aliment in the soil of Ireland. As he read the Amendment it amounted to this. As the clause at present stood, it provided that if an alien were required by the Lord Lieutenant to depart from Ireland, it was to be a condition precedent, before he should be called on to depart from Great Britain, that this order of the Lord Lieutenant should have been made. He could conceive nothing more stultifying than to say that the Home Secretary should not have the same power on this side of St. George's Channel as the Lord Lieutenant had on the other side. It would be idle not to displace the ruffians and miscreants who might come and organize their plots in this country—it would be idle to leave these people untouched in Great Britain after we had warned them off the soil of Ireland. He could imagine nothing more ridiculous than to allow O'Donovan Rossa, for instance, to remain located in one of our large towns, regulating all his secret plans and conspiracies after having departed from Ireland. [An hon. MEMBER: He is not an alien.] True, he was not an alien; but he was talking not so much of a particular man as of the class of which he was a type, with his cowardly propensities and utter disregard of the lives and sufferings of innocent people. He must say that, while he thought it was necessary for the due security of the peace and tranquillity of the Realm—and he was quoting the Preamble of the Act of 1848, that these provisions should extend to England as well as to Ireland, and that the Home Secretary should be armed with the same powers of initiative as they proposed to give to the Lord Lieutenant in Ireland—he must say that there were some provisions of the Act of 1848 that he should like to see relaxed in the interest of the individual; and, probably, if the Home Secretary saw his way to accept the Amendment of his hon. and learned Friend (Mr. Morgan Lloyd), he might see his way to making some relaxation in the interests of individual liberty. He meant such a clause as this. In the Act of 1848 there was a clause which said that an individual was to be brought up before the magistrates, and, if he could not satisfy the magistrates as to his antecedents and belongings, he might be remanded from time to time and subjected to a month's imprisonment, or such longer period as the Judge—which term included Justice of the Peace—might award. The right hon. and learned Gentleman the Home Secretary might allow some limitation of the power of the Justice of the Peace to imprison at his discretion; but, with this exception, he thought it but a reasonable thing to say that on this side of St. George's Channel they should have the same power of dealing with and ferreting out all the ramifications of the secret conspiracy which they had on the other side. In this country, no doubt, the same arguments which were used in 1848 against the Alien Act would be repeated. He knew how difficult it was to argue on the side of repression, and how naturally all argument lent itself rather to the side of liberty, Constitutional usage, and freedom. That, he thought, must be admitted on all sides. The difficulty was to answer by argument objections to the course which everybody was convinced was necessary in the special circumstances of the case. Circumstances were not now what they were in 1848; and he must say that to talk of trampling on the rights and liberties of the Irish people, and to speak of restricting their Constitutional freedom and liberty, as some hon. Members did, was an outrage upon ordinary language. When the hon. Member for Tipperary (Mr. Dillon) asked them—"Why are you, and why is the Committee so generally in favour of this Alien Act; why do you look as though you loved it and cherished it, as though it were your friend?" He answered with the question—"Who have brought us to this?" They were not enamoured of these despotic proceedings. Yet, notwithstanding the authority of the 20 great names that the hon. Member for Tipperary (Mr. Dillon) had read, they must be guided in their generation by the light of passing events, and they were not to be bound down by the dead form and absolute words of Constitutional liberty when they were, as he believed, face to face with a pressing danger, with a danger which threatened the peace and tranquillity of both Kingdoms. The hon. Member for Tipperary (Mr. Dillon) asked what was their reason for bringing in this Bill in 1882? Well, he could refer to no better authority in that House than the right hon. Gentleman the Chief Secretary for Ireland himself; for he took it that that right hon. Gentleman was the chief responsible officer of the Executive Government in Ireland. They had heard a great deal from the hon. Member for Tipperary (Mr. Dillon) as to the state of things in which this severe Act had been introduced in the year 1882. But what were the words which the right hon. Gentleman the Chief Secretary to the Lord Lieutenant used last night, and which he went out of his way to use? He said that those who were most responsible for the Executive Government in Ireland, those who were most behind the scenes—and the right hon. Gentleman used those very words — felt the most deep and serious anxiety in the state of things in Ireland, an anxiety that was growing in intensity every hour. In the face of a statement of this kind—a statement he was bound to accept—he could not hesitate to arm the Government with greater powers than they possessed, powers which he believed it was the right of every country to reserve to itself—namely, powers which would enable them to expel from their confines and frontiers everybody whom they believed to be animated, not with mere hostility to the governing powers of the day, but animated with a desire to attain their ends by means which both God and man condemned.

MR. A. ELLIOT said, he would ask the Committee to listen to only a very few words, in which he wished to ask the Government to resist the Amendment. In the eloquent speech they had just heard, the hon. Member for Warwick (Mr. Arthur Peel) had concluded by referring to words used by the Chief Secretary for Ireland. The Chief Secretary had told them that only those behind the scenes knew what a dangerous state of things existed, and on that representation he came to the House and asked for exceptional measures. Had the Home Secretary, or any right hon. Gentleman on the part of England or Scotland risen in his place to state, on his responsibility, that the state of things was so serious in England or Scotland that they must have recourse to this most exceptional measure? He, at any rate, had heard nothing of this kind. He had heard rumours—they all had heard them—he had heard the right hon. and gallant Gentleman opposite (Sir John Hay) declare that he, as a Scotchman, and all other Scotchmen, would feel more safe for a protection of this kind. He (Mr. A. Elliot) would venture to say that throughout Scotland there was no fear whatever of the ordinary foreigner who lived in that country. The ordinary foreigner who lived in Scotland was subject to the ordinary law, was liable, if he broke it, to be taken up and tried by a jury, and was certain to be convicted if the evidence was against him. That law was surely ample in Scotland for all loyal law-abiding Scotchmen. He did not think it necessary to refer to the great Constitutional authorities quoted by the hon. Member opposite (Mr. Dillon). The Committee had to look at the circumstances of the case. Again and again it had been shown that the ordinary law in Ireland had broken down, that they could not obtain convictions or evidence, that the terrorism was such that the ordinary law was powerless. But had a similar state of things been shown to exist in England? Was it not notorious that the contrary had been the case? And, then, let them look at another point in the matter. They had reason to believe that in Ireland there was a large scheme in contemplation by a certain set of foreigners—Irish-Americans—but in England was any such thing known to be the case? They had heard rumours about intended outrages, about attacks upon barracks and on docks; but how were they to know they were not in danger in these matters as much from French and German subjects as from any other? It would not be difficult, if it were made worth his while, to get even a British subject to commit almost any crime in the world. His hon. and learned Friend (Mr. Morgan Lloyd) had referred to the old Common Law. But surely it was of no use to do that. The hon. and learned Member had said that a King could expel foreigners by his Prerogative; but he (Mr. A. Elliot) was proud to think that foreigners had been able to live in this country, subject to the laws of England, for many years, and that the Sovereign had never exercised any Prerogative in the matter; and he believed that the laws which had been strong enough to protect us against O'Donovan Rossa and his people were strong enough to protect us still. As this clause had been brought forward on the responsibility of the Government, on good cause shown, it was their duty to support the Government; and if the Amendment had been proposed by the Government, it might have been their duty to support that also. But that was not the case. The Amendment had been brought forward by a private Member, who had given them no proof of crime being committed or attempted in England; and no English or Scotch Member could point to a case where a foreigner was prepared to commit a crime and could not be punished by the ordinary law. Some of their Irish Friends opposite were taking a somewhat peculiar view in this matter. They said—"Let British citizens see what it was to suffer from coercive measures." But, surely, in taking up that position, hon. Members were disregarding the real point. He ventured to say that not a clause of this Bill could be justified except by the exceptional condition of things in Ireland at the present day. It was on account of that exceptional condition of things that he had supported Her Majesty's Government all through. But that state of things did not exist in England; and before an hon. Member attempted to apply the exceptional measures to England that were necessary for Ireland, it was essential that he should come forward with some proof that the circumstances of the case required it.

CAPTAIN AYLMER said, he hoped the Government would be influenced by the eloquent speech they had heard from the hon. Member for Warwick (Mr. Arthur Peel), who, unlike the hon. Member who had just spoken, seemed to have looked at the exceptional circumstances of the case. One thing which was said by the hon. and learned Member who had moved the Amendment had struck him very much. He had said that in this instance he thought that the law of England and the law of Ireland should be the same. Well, he (Captain Aylmer) was one of those who thought the law of England and the law of Ireland should always be the same, and that one of the greatest disgraces upon the House of Commons was that the Statute Book, from 1801 down to the present day, was full of enactments specially applying to Ireland. He felt convinced that all these troubles would have ceased long ago, if successive Governments had endeavoured to consolidate the Union, instead of legislating for the two countries separately. He was astonished to see the hon. Member for Tipperary (Mr. Dillon) opposing this Amendment, because that hon. Gentleman had always been in the habit of posing in the House as an Irish patriot who was solely interested in Irish affairs. It seemed somewhat strange that he should object to an Amendment which only concerned England and Scotland, and had nothing whatever to do with Ireland. If the hon. Member objected to the Alien Act being revived in the case of Ireland, he (Captain Aylmer) could understand it; but his present objection certainly seemed out of place with the character he always assumed; unless, indeed, he agreed with the hon. Member for Warwick (Mr. Arthur Peel) that agrarianism was not the real root and origin of the state of things that this Amendment was intended to grapple with. The hon. Member for Warwick said that agrarianism might have been the beginning of the agitation; but he (Captain Aylmer), for his own part, believed that agrarianism had been pushed to the front by those who had purely political motives. If the hon. Member for Tipperary (Mr. Dillon) had no sympathy with those who had ulterior designs, which were not agrarian, but were designs against law and order, he could understand him; but, under the last Coercion Act, they had seen newspapers which had been printed in Ireland, and which had been suppressed in that country, published in Liverpool within a few days of their suppression in Ireland. It had been said that foreigners had always been well received in England, and that was perhaps true. An asylum would still be found in England by respectable refugees. Any foreigners would be received into the country, and have the advantages of our English laws, as long as they did not interfere with law and order in the country. He did not believe that the Lord Lieutenant would be disposed to grant a warrant against any alien who conducted himself properly; but, as far as those aliens were concerned who did not conduct themselves properly, he (Captain Aylmer) should only be too glad if the Alien Act enabled the Home Secretary, or any other Minister of the Crown, to deprive them of the asylum they found in this country. It had been, and always would be, one of the points most against England on the Continent that our liberty in matters of this kind had run to excess. The hon. Member for Tipperary (Mr. Dillon) had spoken of the many eminent men who, in 1848, spoke against the Alien Act; and, amongst others, he had referred to the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Bright). Well, all he (Captain Aylmer) could say was, that he sincerely trusted that the right hon. Gentleman the Chancellor of the Duchy of Lancaster—and the right hon. Gentleman would excuse him for saying it—would not be so foolish on this occasion as he was in 1848. There was much more danger from foreign plotters now than there was in 1848, because the improved means of communication had rendered the country more easily accessible. A man who, in the present day, concocted his plots one Sunday in America could dine on the following Sunday in England. It would be impossible to put down revolution in Ireland—and he feared that there was something akin to revolution existing there—if they kept the door open for revolutionists on this side of St. George's Channel.

MR. WIGGIN said, that, looking as he did, and always had done, on the Irish people as fellow-subjects, he desired to see the two countries governed on the same lines as far as possible; and he therefore supported the Amendment proposed by the hon. and learned Gentleman. He would go further than that —he would adopt the suggestion made by the hon. Member for Tipperary (Mr. Dillon), and say that he would support the whole Bill for England, if England were in the same demoralized state as Ireland, and if in England it were common to hear of cases of murder and outrage on human beings besides the maiming of cattle. If the whole country were permeated by secret societies, he was sure that every Member on the Liberal side of the House would be willing to support such a measure; and he would appeal to the patriotism of hon. Gentlemen on the other side of the House, if they were patriots, as they said they were, and say to them that if they wished to see law, order, and peace restored to Ireland, they should, in every way they possibly could, support this measure, in order to strengthen the hands of the Government and enable them to put down illegality and disorder. The hon. Member for Tipperary (Mr. Dillon) said he admired England and English institutions. Well, he (Mr. Wiggin) could say that he admired the Irish people—and he certainly admired the Irish ladies. However, he could assure hon. Members opposite that there was but one feeling in the country, and that was a desire to see Ireland in a state of peace and prosperity. There was no ill-feeling on the part of the English people towards Ireland. In fact, he ventured to say that if they were to go through the length and breadth of the land they would find that nine out of every ten people were admirably disposed towards Ireland. He was well acquainted with the political feeling in the neighbourhood of Birmingham. He represented a constituency in that district, and he could assure the Irish Members that gentlemen who were well known there as advanced Liberals, and who were staunch supporters of his right hon. Friends the Chancellor of the Duchy of Lancaster (Mr. John Bright) and the President of the Board of Trade (Mr. Chamberlain) had within the last few days said to him—"Do all you can to support the Government, give them all the assistance you possibly can, and tell them to stick to their guns and carry their Bill." Of course, there were some exceptions; but he maintained that the vast majority of the people were with the Government in this matter. As he had said before, he had a strong affection for Ireland and the Irish people. He desired—and the English people desired —to see peace and tranquillity restored to that country. He disliked to see the two countries governed on different lines. He would give to Ireland as much local self-government as we had in England, if that was what the Irish people meant by Home Rule; but, at the same time, Parliament must strengthen the hands of the Government to put down crime, and as long as crime was rampant, the Government would, in their efforts to suppress it, have the support of the English people. He would not detain the Committee longer. He seldom spoke, but he felt strongly on this question. He knew that this question was animating the minds of the people of England of all classes; and he was glad to find the right hon. Gentleman the Prime Minister present, because he could assure him that what he had said was perfectly correct. He (Mr. Wiggin) had the pleasure of meeting most of the leading men in Birmingham, and he could assure the right hon. Gentleman that in all the feeling was strong that the hands of the Government ought in this matter to be strengthened in every possible way.

MR. O'CONNOR POWER said, he was sure the hon. Gentleman who had just sat down had excited the gratitude of Irishmen by the compliments which he had paid to their country; and he could assure the hon. Gentleman that, notwithstanding his professed admiration for the Irish ladies, if he visited Ireland he would do so without exciting any jealousy. [*A laugh.*] He simply made this observation to repel the insinuation that they were a jealous people, and certainly, so far as he was concerned, he was very much disposed to answer the appeal of the hon. Gentleman that they should consider the question before the Committee entirely on national grounds. He had listened very carefully to the discussion on the Amendment, because he had felt disposed to be guided in his vote chiefly by what the majority of English and Scotch Members themselves thought on this question. He was considerably impressed by the speech of the hon. Gentleman the Member for Warwick (Mr. Arthur Peel); and if he could only agree with him as to the means to be adopted towards the end which he had in view, he should have no hesitation whatever in supporting, however feebly, his speech and walking in the same Lobby as the hon. Gentleman. But the Irish Members opposed the renewal of the Alien Act in Ireland on the ground that they did not believe that that was the best means for dealing with those aliens whose presence in Ireland might be calculated to endanger the peace and tranquillity of that country. From all he had heard from English Gentlemen of different political Parties, he was inclined to look on his own country with more hope than, perhaps, many descriptions of that country which they had heard in that House would warrant. He supposed it was generally believed that the atrocity carried out in the Phœnix Park some time ago was carried out by aliens. He was certainly one who shared that opinion; and he believed, from the cold-blooded audacity with which it was carried out, it must have been planned somewhere out of Ireland. He had heard it suggested that the wicked design was planned in the City of London. It might have been planned in London or in Paris, or in some other Continental city which was crowded with members of the International, the Dynamatic, or Communistic Organization, for he did not know what name to apply to it. It changed its name and its tactics, and that was the reason why it was dealt with by measures of this kind. Although, by this clause, they would enable the police officers to make a great deal of fuss, they would not enable them to lay their hands on the real criminals. It seemed to him that the only remedy for dealing with aliens, and dealing with all persons in the community in such a way as to strengthen the hands of the Government in the maintenance of public order, lay in an efficient police system. Take a look at the condition of Ireland. When the atrocity was committed in the Phœnix Park, the Government in Dublin was possessed, as it was possessed now, with absolute power of arrest. It could arrest aliens as it could arrest ordinary citizens; and there could be no doubt whatever that if, through the inquiries of the police, the Irish Government at that time was made aware of the presence, in the City of Dublin, of persons who had come there to carry out this dreadful design, the Government would have exercised the power of arrest against them. Why did they not do it? Simply because they were not conscious of the men's presence. The revival of the Alien Act was simply a means of putting aliens on their guard; and the Government would have, in the last resort, to rely upon their police, and it was an efficient police, and it was an efficient detective force alone which could enable them to anticipate the machinations of these desperate people. They were told that the movement which the Government had to deal with in Ireland was no longer agrarian; they were told it was political. He ventured to think it was, perhaps, neither agrarian or political. As far as it was a dangerous movement, it was a Communistic movement; and it was the men who felt they were justified in allying themselves, no matter how remotely, with the Communistic associations on the Continent that were to be dreaded in Great Britain and Ireland—gentlemen who came forward with schemes for the regeneration of society, which schemes, he ventured to say, were just as impracticable as building a railroad to the moon. Some of the men, like the enthusiasts of all races and of all times, had grand ideas, undoubtedly, for the public welfare. Some of them were men who were actuated by pure motives; but men of that stamp were not aware of the terrible movement to which they were lending their support and sanction. That Communistic spirit, which was not exclusively agrarian, which was decidedly not political, had taken a strong hold of most of the nations of Europe, and an attempt would be made to propagate its doctrines. The way to cope with this spirit was not by repressive laws, but first of all by removing every just grievance of which the people of Great Britain and Ireland had to complain, and by winning the people to the side of the Government for the maintenance of law and order, by making them feel that the Government was a part of themselves, and that its object was to promote their welfare and to faithfully represent their interests. For these reasons he was afraid he should have to wait for enlightenment as to the course he should have to pursue in the division on this subject. Perhaps it would not be unreasonable if an appeal were made to the right hon. and learned Gentleman who was in charge of this Bill to announce what the policy of the Government might be in reference to this movement. He should be very glad to hear the Government's summing-up of the views which had been expressed on both sides of the House. He did not believe that the revival of this Act would increase the power of the Government over the aliens whom it ought to be their object to crush, and that while it would be calculated to create great irritation, and possibly to give offence to many foreign Governments, thereby involving this country in many complications, it would not materially or appreciably strengthen the power to get rid of desperate characters.

MR. GIBSON said, the hon. and learned Gentleman the Member for Mayo (Mr. O'Connor Power) had made a very ingenious speech; but, strange to say, he was not convinced by his own arguments, and he concluded by saying that he should wait for further light before coming to a final decision. He (Mr. Gibson) could understand this question being regarded from an Irish point of view in reference to the whole clause, and he could understand Irishmen and hon. Members from Ireland saying that they were against the whole clause, that they would not deal, in any shape or form, with the restoration of law against aliens; but he must say he had seen very great logical objections in the way of hon. Members from Ireland now intervening on this Amendment, and saying that although it might be arguable to apply the law against aliens in Ireland, still they saw an objection to including England and Scotland within the prohibition. Was the case made out in any way that at present it was desirable there should be some restrictions upon allowing aliens to remain in Ireland? He ventured to think there were few people in that House who had listened to the arguments advanced during this debate, and who were acquainted with the state of affairs in Ireland, who must not recognize that a vast proportion of the difficulties which now existed in Ireland arose from the presence of aliens. When appalling acts were committed in Ireland, it was at once said that they were the acts of aliens. It was the excuse that was used for endeavouring to free Ireland from the stain of crime; and, therefore, it was practically impossible to say that it was not wise and reasonable that there should be some restriction used for regulating the presence of aliens in Ireland. It had been pointed out by the hon. Member for Roxburghshire (Mr. A. Elliot) that no case had been made out for extending the Alien Act to England and Scotland. They must look at this question from a broad point of view; and, as was pointed out earlier in the debate, by the right hon. and gallant Member for Wigtown (Sir John Hay), were the Committee prepared to make the rest of the United Kingdom an Alsatia for the aliens who, finding it not safe to remain in Ireland, found it safe to withdraw to England and Scotland, and carry on their machinations here against the peace of Ireland? Had they no reason to complain after the very recent experience in England, and it might be in Scotland? Had they no reason to believe that those who were aliens in this country were somewhat abusing the right of asylum. The hon. Member for Roxburgh (Mr. A. Elliot) pointed out that the law had not broken down in England. That, of course, was a statement entitled to some consideration, if this was a criminal clause; but it was not a criminal clause—it was a preventive and safeguarding clause. This was a clause which merely expelled aliens whose presence might not be for the good of the country, and who might be a disturbing element in England as well as in Ireland; to expel men who did not exactly come within the grip of the Criminal Law—men who were not here for *bonâ fide* purposes, who were not here for asylum from their own country, who were not here for protection, who were not here for pleasure, who were not here for trade; but who were here for mischief. For the best purposes of the common Empire to which we all belonged, we would tell those aliens it was better for them to go elsewhere, where they might have possibly some legitimate pursuits. An expression had been used more than once in the course of this debate that the right of asylum in this country should be protected. He hoped it always would be. He hoped that everyone who was acquainted with the history of this country would ever safely protect the sacred right of asylum that England had always held out to those who were compelled to leave their own country. But great care must be taken that this right of asylum was not abused, and that England was not made, and that Scotland was not made, and that Ireland should not be made a place for those who were aliens, retaining the right of their own citizenship, to break the law, and to encourage those who might otherwise live in peace to enter into lawless and treasonable courses.

Colonel NOLAN asked if the Amendment was within the scope of the Bill? The Preamble of the Bill stated that the Bill was intended for the prevention and repression of crime in Ireland.

The CHAIRMAN: It is rather late for the hon. and gallant Member to put this question. The Committee have already decided the following words:—

> "That the Alien Act is hereby re-enacted, and shall continue in force for the same period as this Act."

We have reached the word "Act," in line 37; and when an hon. Member proposes the omission of all the subsequent words of the clause, the Chair has no power to prevent that proposal being submitted to the Committee.

Mr. WHITBREAD said, that after all that had been said, and after the speech of his hon. Friend the Member for Warwick (Mr. Arthur Peel), he should not have thought it necessary to say a word on this Amendment if it had not been for the speech addressed to the Committee by the hon. and learned Member for Mayo (Mr. O'Connor Power). He listened to that speech with deep interest. The power of speaking which the hon. and learned Member possessed compelled attention to him when he rose; and he would go further, and say that the manly independence the hon. and learned Gentleman had often shown during the last two or three years entitled him to the respect of the Committee. He listened with care to the hon. and learned Member's words, and he thought that upon the hon. and learned Member's words he could command his vote for this Amendment. What did the hon. and learned Member say? He said—

> "The great dangers to which you in England and Ireland are subject are the conspiracies of those foreigners engaged in Communistic designs."

And he went on to say that—

> "Your task should be, not to attempt to get rid of them, but to show to the people of Ireland that you make them part of the Government, that you are their friends, and that for them you would pass remedial legislation."

Now, he asked the hon. and learned Member to be candid. What had this House been engaged in during the whole of this Parliament but in an attempt to give remedial legislation to Ireland? [An hon. Member: Coercion.] Who was it who stood in the way of remedial legislation for Ireland? What was the great danger that was really foreshadowed, if they looked a little deeply into this question? [An hon. Member: Coercion.] He would tell the hon. Member who interrupted him what it was. It was that the atrocities, the maimings, the murders, the disorder, and the disregard of all law in Ireland, might turn away from Ireland the feelings of England, which had been so lavishly, of late, poured out towards Ireland. Hon. Gentlemen might smile at that, but let them not mistake. It would not require very much to turn public feeling in England rudely against Ireland. They had seen the sacrifices that Englishmen and Scotchmen had made; how they, with grievances of their own, with questions of their own which had been long ripe for settlement, had consented to put them aside, year after year, suffering, as they had been, under bad trade and bad harvests—had consented to have their grievances set aside in order solely to do justice to Ireland. He had been a Member of that House longer, perhaps, than some of those hon. Gentlemen opposite who smiled at his words had seen the light in this world. He declared that never before had there been a Parliament so thoroughly determined as this one was, at the outset, to do justice to Ireland; and if hon. Gentlemen opposite were patriots, he appealed to them not to throw the good feeling of England away. There was a limit to the patience of England, and he entreated hon. Gentlemen from Ireland, if they valued their country, and if they really set that store which they said they did upon the prosperity of their country, not to continue in the course, which he warned them was rapidly exasperating the people of England, and turning them from the Irish people. Parliament desired to give remedial legislation to Ireland; but who stood in the way? Why, those who were engaged in Communistic designs abroad; and in order that Parliament might remove any injustice that existed in Ireland, it was necessary that the Government should have full power to deal with those men. It was a sad blow to the Members of the Liberal Party that for one day, or for one hour, the proud boast of this country should be lowered—namely, that these shores were open to the alien, and the foreigner, and the refugee of all countries. But they were prepared, in case of necessity, to make this sacrifice. They valued their House of Commons, with its Rules and its procedure, as they had known it all their lives. Hon. Gentlemen opposite had broken that down, and now the Members of the Liberal Party were prepared to alter that procedure, as they would be prepared to make a sacrifice of the proud boast he had referred to. He would tell the Home Secretary that, so far as his humble opinion went, if the Government should think fit to adopt the Amendment which had been moved, the people of this country would be ready to accept this Amendment. The hon. Member for Roxburghshire (Mr. A. Elliot) argued that the law was sufficient in England to deal with any crime that was committed in England. Yes; juries in England had no sympathy with crime, and happily had little fear of the consequences of doing their duty. But it was not against crime committed in England that this Amendment was aimed; it was against plottings in England. That was a point which his hon. Friend (Mr. A. Elliot) did not touch. He confessed it was painful to him to stand up and advocate the adoption by the Government of such an Amendment as this; but he had to remember that whilst they did not forget those Constitutional privileges, and those proud boasts of our freedom, they had a great task before them. They had set their hands to removing every injustice that could be complained of from Ireland; and they were determined, while they would pursue this object to the end, they would pursue it with due respect to the maintenance of law and order.

MR. HORACE DAVEY said, his hon. Friend (Mr. Whitbread) had spoken of the sacrifice that he and others were called upon to make of one of the proudest boasts of England. For his part, he was quite prepared to make that sacrifice if it was necessary for the peace of the country and the repression of disorder. Provision ought to be made to meet the case of an alien who should come here from Ireland before the publication in that country of an order of the Lord Lieutenant for his deportation, and also for the case of an alien who should come to some town on the English coast from America or elsewhere, for the purpose of either engaging in plots against the peace in Ireland or in England. Looking at it from this point of view, he fully recognized the necessity for the Amendment which it was proposed to make. He was prepared to vote for the Amendment, because he thought if they were prepared to re-enact the Alien Act, as they proposed to do by so much of the Bill as had already been passed, they would be giving it a faulty and half-hearted application if they saddled it with the proviso which was contained in the clause as at present drawn. He exceedingly regretted the necessity for any re-enactment of the Alien Act. He exceedingly valued the proud boast of this country that its shores were open to every alien of every Foreign Power. But while we admitted an alien to reside here for any legitimate purpose, England had never felt bound or entitled to admit or harbour aliens, once those aliens came here to plot against the peace of the country which had given them shelter; and it made no difference whether they plotted against the peace of Ireland, or whether they plotted against the peace of England, or whether they used their residence in England for the purpose of plotting against the peace of Ireland, or whether they used their residence in Ireland for plotting against the peace of England. Therefore, if he looked at the question from this point of view, he could not help thinking that the proviso to re-enact the Alien Act for a limited time in Ireland alone would greatly impair the usefulness of the clause. He could quite understand the Irish Members objecting to a re-enactment of the Alien Act at all, on the ground that it was unnecessary, and that it was an infringement of their liberties, and an infringement of the principle recognized of admitting aliens; but that was not the question at this moment. He could understand their taking that view; but he could not understand their saying that if the Act was to apply at all it must not apply to the United Kingdom as well as to Ireland. The Committee had got to that portion of the clause which provided that the Alien Act should continue in force for the same period as this Bill, and what was now being considered was not whether the Alien Act should be in force at all, for that had been settled, but the question was, assuming that the Alien Act was re-enacted, was it to apply to the whole of the United Kingdom, or only to Ireland? He could understand English or Scotch Members objecting to its applying to England or Scotland; but he could not understand Irish Members objecting to it. He could understand Irishmen objecting to its applying to Ireland; but he could not understand their objection to its applying to Great Britain. A great deal had been said in the Committee against special legislation for Ireland; but here Gentlemen were found supporting, by opposing this Amendment, such special legislation. What the Committee were asked to do was to extend this provision to the whole of the United Kingdom, and although that was a great sacrifice for English Members to make, they were prepared to make that sacrifice; and, so far as he was concerned, he should vote for the Amendment, and he hoped the Government would accept it.

Mr. WARTON said, he thought this debate had been distinguished not only by speeches of far more than ordinary interest, but by far greater consensus of feeling than he had ever before seen yet on any Irish question. He thought he was not misinterpreting the feelings of the Committee when he said that the immense majority of the supporters of the Government were in accord with Members on the opposite side in hoping that the Government would accept the Amendment. Whether he looked at the political view taken by the hon. Member for Warwick (Mr. Arthur Peel), or the hon. Member for Bedford (Mr. Whitbread), or recalled the cold passionless view of the hon. and learned Member for Christchurch (Mr. Horace Davey), the speeches of all those Gentlemen tended to the same result, and showed that the feeling of the Committee was almost unanimously in favour of this Amendment. Seeing that agreement of opinion on both sides of the House, it would ill-become him to refer now to the individual political statements and prophecies made in March, 1880, by the great Rival of that day to the present Prime Minister. He did not refer to them to cast any reflection on his political opponents, but merely to remind the Committee that the great statesman who had gone from us, who most accurately described the actual condition of Ireland in 1880, was the statesman who, of all men, was most sensible of the condition of Ireland, and alive to the terrible fact that the danger of the present time would be what was known as International Societies—that was to say, a community of crime throughout the world, which had been very much increased by the additional means of communication that now existed, and by the invention of science in chemistry and electricity, which had been turned to the vilest purposes by the worst class of men. These additional facilities, which were pressed into the service of the agents of wickedness, made the position now very different from that in 1848, when the Alien Act was passed. It was not to the point to compare any speeches made now by Irishmen with speeches made at that time. If the speeches made now by Irishmen were not nearly so bad as those made in 1848, the power of aliens to do mischief was now infinitely more than it was then. He hoped all hon. Members below the Gangway who had studied the Alien Act of 1848—and he would only say that it was as mild as it could possibly be to meet the exigencies of the case—and, therefore, he hoped he should hear no more of such arguments as those advanced by the hon. Member for Roxburghshire (Mr. A. Elliot). He would only add that the one great principle in every community which overrode all others was this—*Salus populi suprema lex.*

Mr. BROADHURST said, he was extremely sorry that the point of Order raised by the hon. Member for Galway had not been admitted by the Chairman, and he could not for a moment but think that had there been any idea in the mind of the public that a part of the British Constitution was to be voted away in Committee without notice, half London would have been down at Old Palace Yard. [Sir JAMES LAWRENCE: No, no!] The hon. Member for Lambeth might say "No, no!" but he ventured to say that some thousands of that hon. Gentleman's constituents would have been the first to take part in such a demonstration. Nothing of the kind now proposed was necessary for this purpose. The hon. Member for Bedford (Mr. Whitbread) had said it was not a question of crime committed in this country, for which he admitted there was ample strength of law at present, but that it was against the plotting of crime in this country that that proposal was directed. But could not crime be as well plotted in Paris as it could in London, and in New York as well as in Liverpool? Experience had taught us that it could be as well plotted in those places as in London, and there was no necessity for anything of this kind in England. There was no sympathy with crime amongst any class of our countrymen, whether they were rich or poor. The home of a poor labourer was such a police barracks in favour of order and the protection of life and property in this country as were the homes of the rich, and to apply a clause of this kind to England would be a disgrace to the House of Commons. What was to be done in a case of this kind? Was the Committee going to vote away, without Notice from the Government, and without any proposal from the Government, but on the mere suggestion of a private Member, rights which had existed for centuries? Were they going to destroy the home of asylum which this country had afforded to legitimate and proper refugees? He did not like sailing so near the point as the adoption of this Amendment would be, and he would not agree to it for a moment. He did not like to make pledges, for it was always unwise to pledge oneself too deeply; but if this Amendment were inserted in the four corners of the Bill, there would be an opposition throughout the country as strong as in Ireland, for it would be an insult and a piece of treachery to the people of this country, and would bring about the ears of the House of Commons and the Government a hornet's nest. He sincerely hoped the Government would oppose with all the power in its possession so unexpected, so extraordinary, and so monstrous a proposition.

MR. W. H. SMITH said, he knew the hon. Member who had just spoken represented, to a considerable extent, the view of a very large portion of the trades unions and the working classes; but he thought he himself knew as much of the views of the working classes as the hon. Member opposite. The hon. Member was right in saying that the working classes had no sympathy with crime, or with any effort to create disturbance or disorder in Great Britain or Ireland; but he was also convinced that the people of this country would not regard any well directed effort to make crime impossible in Ireland with either indignation or any other feeling of anger. They would be entirely satisfied if those who made use of the right of asylum which was afforded by this country to persons in distress; but those people must be prevented from turning that asylum into a means of attacking the institutions of the country. The danger against which it was necessary to guard was the danger of conspiracy against our institutions, which were necessary to liberty. He desired to preserve that liberty, and to preserve the right of everyone to trade, to live and to work in perfect and absolute security; but the conspiracy which now existed in Ireland, and which was fomented by aliens from other countries, was a conspiracy against the liberties and the rights of the people both of this country and of Ireland. He did not believe there was a single workman in London who had the least sympathy with the men who resorted to London, not as a refuge for honest shelter from the consequences of political opinions which they might have held on the Continent, but for the purpose of concocting crime, and inciting those who were now concocting crime in Ireland. What was really the position of the case? It was proposed—and the Committee, he believed, were pretty nearly unanimous—to give powers to the Government to deport aliens from Ireland who might have resorted to Ireland for the purpose of conspiracy and wrong. As the clause at present stood, such men had only to slip across the Channel by one of the many steamers passing between England and Ireland and so at once become safe, and by means of the telegraph and post-office they could carry on their business from this country. In London they could more easily be lost sight of; but they might be engaged in business respecting which it would be exceedingly difficult to obtain evidence. In this country he did not doubt that if charges could be brought against them, and established, English juries would convict; but the difficulty was to get evidence, although there might be abundant evidence to satisfy the Home Secretary that they were prosecuting business injurious to the safety of the country. Under these circumstances, it was for the good of the country, and for the good of honest and peaceable men, who desired to preserve the liberties of this country and the securities for honest labour and industry, that such men as these should be deported. He trusted that the Government would see reason to accept the Amendment.

Mr. HOPWOOD said, he hoped the Government would do nothing of the kind. If there was one sad moral to be drawn from the present state of affairs, it was the saddening and demoralizing effect of necessary restrictions of liberty; and it was painful to him to see how hon. Members were discussing this matter, as though a great principle could be departed from with insufficient reasoning and mere shreds of discourse. The hon. Member for Stoke (Mr. Broadhurst) had made a strong appeal, and he trusted much more to that hon. Member's knowledge of what the working classes felt than even to the knowledge of the right hon. Gentleman (Mr. W. H. Smith) who had given his view; and, at all events, the people of this country would feel that they were losing a principle which had been the proud boast of this country of giving asylum for the distressed all over the world—for those who were flying from oppression at home because of political offences. In 1848 the Alien Act was passed with the greatest misgivings, and this power was given for a year; but eloquent voices were raised against it, and the Representatives of the Whigs strongly defended this long-treasured principle of asylum being preserved. But now it was proposed, at this hour of the night, and by a side-wind, to gradually fritter away this great principle, without warning to the people; and he hoped the Government, not having given any signs so far, would yet show that there were men on the Treasury Bench who still appreciated and would respond to the old feeling, and would say that what hon. Members were now pleading for was not merely a sentiment, or, at all events, if it was a sentiment, it was so ennobling a sentiment that it should be preserved. That sentiment gave the tone to all our feelings in defence of those institutions which we called liberty, and he hoped the Committee would stand by their old love of liberty, and not be deluded by reasons from the Conservative Benches into parting with what they so greatly valued.

Mr. GREGORY said, the hon. Member for Tipperary (Mr. Dillon) had contended that the extension of the provisions of the Alien Act to this country might involve the Government in difficult complications with foreign countries. He (Mr. Gregory) could not see that it would in the slightest degree affect our relations with other countries. The object of the Alien Act was solely confined "to the peace and tranquillity of this Realm;" it had nothing to do with our foreign relations. The right of asylum had been abused, and he confessed he should not be sorry to see it restricted. The incorporation of the Alien Act in this Act would have that effect. The Secretary of State, or the Lord Lieutenant, as the case might be, would have the power to remove an alien who it was alleged was in any way disturbing the peace and tranquillity of the Realm; but the alien would have the right of protest against his removal, and the Secretary of State would be bound to submit the matter to Her Majesty's Privy Council. Under no circumstances could the Act operate prejudicially to an alien who was not guilty of any practices subversive to the peace and tranquillity of the Realm. What, he might ask, would be the effect if this clause in respect to aliens were not to operate here? Why, that any person who desired to disturb the peace and tranquillity of the Realm had only to cross St. George's Channel and carry on his nefarious designs here. It was said the people of England had nothing to fear from the operations of aliens in this country. If the people of Liverpool, or Manchester, or even Glasgow, were consulted on the subject, it would be found they would tell a very different story, and that there were fears and apprehensions recently entertained in those towns in regard to the practices of aliens which would tend to make the people of those places very glad to see restrictions placed upon the presence of aliens in their midst. Even in London itself the people had not been free from apprehension. There was evidence of the presence in London of men who were animated by motives which were subversive of all law and order. He could not help thinking that it would add very materially to the peace and tranquillity of England, as well as of Ireland, if the Amendment were adopted.

MR. GLADSTONE: Sir, we have listened on this Bench with respectful attention and with great interest to this debate. Unhappily, all those who have addressed the Committee on this subject have spoken without any ulterior or collateral view of the merits of the case, and we thank the Committee for the assistance it has given us in that respect. From the moment that this Amendment appeared upon the Notice Paper, it was impossible that the Members of the Government should but feel that it had important claims to their favourable notice. It was evidently a flaw and imperfection in the operative character of the Act that it should be in the power of persons who had not been in Ireland, or of persons who, having been in Ireland, had not been the object of any initial process there, to come over into England, and from a position within a few hours of that country, and from which they might be in daily and almost hourly communication with Ireland, be enabled to prosecute their nefarious designs. With regard, therefore, to the efficacy of the Act, there is a strong *primâ facie* recommendation of the Amendment. I am bound to say I have always felt strongly and bitterly the force of the reproach which arises out of any inequality of the law, and especially of penal and restrictive law, between England and Ireland. To a certain extent, I have a predisposition rather to accept for England, if I can, a law which is necessary for Ireland, and which we intend to impose upon Ireland. I do not carry that proposition beyond a certain limit; but within a certain limit it certainly in my mind exists. I abhor inequality of law in matters touching rights and liberties, and some length I would go, if I could, to avoid that inequality. I admit, however, that that cannot be made a determining consideration. Let me turn to the objections which have been made to the adoption of this Amendment. They have been three. The first was that the law was not required for our own internal purposes. No one can for a moment think of disputing that proposition. It was stated so clearly and so strongly by my hon. Friend the Member for Roxburghshire (Mr. A. Elliot). But then that argument, if admitted as a proposition, does not touch the case; because the whole strength of the case turns not upon the necessity of the proposed provision for any English purposes, but upon its necessity as an ancillary and auxiliary arrangement for the operative powers of the provision. So I must go further, and I cannot be deterred by that objection from the acceptance of the Amendment. Well, then I come to the point which has been so strongly put by my hon. and learned Friend the Member for Stockport (Mr. Hopwood), and my hon. Friend the Member for Stoke (Mr. Broadhurst). They have in warm terms—the warmth of which I cannot wonder at, and which I cannot complain of in the slightest degree—denounced the Amendment as one abandoning, in principle, what is called the right of asylum; but, Sir, I am bound to say that the hon. Gentleman (Mr. Gregory), who has just sit down, has shown in the most conclusive manner that although, undoubtedly, we may be called upon to make a certain amount of sacrifice, yet we are not called upon by the adoption of the Amendment to make the enormous sacrifice which my two hon. Friends pointed out. They appear to think that after the passing of this Amendment every alien coming to this country will remain here at the mercy of the Executive Government. Now, Sir, that is as far as possible from the fact. I have only to go a point beyond the hon. Member (Mr. Gregory), who has just spoken, and to call the attention of the Committee to the express words of the Act of 1848, which it is proposed to re-enact, and the Committee will perceive that every alien coming to this country will, if we adopt this Amendment, remain precisely as he was before in regard to all his rights, in regard to his relations with his own Government, and to every foreign Government, excepting in the single case that he makes himself responsible for the machinations against the peace and tranquillity of this Realm. This has been declared by the legislators of 1848 in terms the most unequivocal—terms which are twice repeated in the Preamble. The opening words of the Preamble are—

> "Whereas it is expedient for the due security and peace and tranquillity of the realm that provision should be made, for a time to be limited, respecting aliens arriving or resident in the Kingdom."

For the due security of the peace and tranquillity of the Realm and for no other object, not for the due security and peace and tranquillity of any other country. This is a domestic purpose to which every country must give the first place in its estimation, and the fulfilment and accomplishment of which were really the features which made this country so desirable for aliens, for if we could not offer to aliens the opportunity of coming into the country, to be guarded by law and secured by law, the privilege of asylum would be a poor privilege indeed. In 1848 Parliament was not satisfied with the general declaration I have read; but in a later portion of the Preamble it bound the Secretary of State, or the Viceroy of Ireland, as the case might be, to proceed upon written information, and that written information was to go expressly into the particular case. The words of the Preamble were to the effect that for the preservation of the peace and tranquillity of some part of the Realm it was expedient to remove a certain alien or aliens who might be in that part; and, therefore, I put it to my hon. and learned Friend the Member for Stockport (Mr. Hopwood), and my hon. Friend the Member for Stoke (Mr. Broadhurst), that with the general right of asylum for aliens we are not called upon, by the Amendment of my hon. and learned Friend (Mr. Morgan Lloyd), to interfere in the slightest degree. But, Sir, I come to the third point which has been urged against this Amendment. My hon. Friend the Member for Stoke (Mr. Broadhurst) has strongly urged that this is an Amendment which it is now proposed we should adopt without Notice. That is not intended, I am quite sure, as a reproach against the Mover of the Amendment. The Mover of the Amendment had done everything in his power to give Notice of his intention; but it is certainly quite time that the people of this country at large believe that we are engaged in considering an Irish Bill; I do not believe that at the present moment they have the least idea that any principle affecting the law and liberties in England is contained in this Irish Bill. The Government arrive at this conclusion. We feel bound to acknowledge the force of the arguments in favour of this proposition; but we also feel that it might not be right to ask the Committee to vote upon it at this time. In giving that declaration, I do not wish to reserve any *locus penitentiæ* on the part of the Government. We have heard the arguments; we have tested and ascertained in debate the opinions of the Representatives of the people; we are satisfied that the judgment of the Committee is largely, and in a greatly prevailing degree, favourable to the proposal. We think, however, that it would be only fair that, as the subject is one new to the country, some time should be allowed before we vote upon it. [Mr. BIGGAR: Oh, oh!] The hon. Member says "Oh, oh!" That may be his opinion. I am not going to ask the Committee to postpone the question until the next Parliament, or the next Session, or some remote period. I mean to do nothing of the kind; nor do I mean there to be any doubt as to what I have said. We accept the Amendment; but we think it fair that as this is an Irish Bill, and as the Amendment is one referring to the whole of Great Britain, we should not adopt the Amendment without its being known. I do not share the opinion of my hon. Friend the Member for Stoke (Mr. Broadhurst). I have the greatest respect for his authority; but I do not share his opinion as to the feeling which will prevail in the country. Still, we think we ought not to act in the dark, and our intention is to ask the Committee to allow the matter to be postponed until Report, which will arrive in the course of two or three days after the Bill has got through Committee. That is the course we intend to take, and, on the whole, we think that would be the best course the Committee could adopt.

SIR STAFFORD NORTHCOTE: Sir, I am sorry that I did not hear the greater part of this debate; but I must say that, having listened to the speech of the Prime Minister, I have heard that speech with the most unfeigned surprise. The argument of the right hon. Gentleman, from the beginning to almost the close of his speech, seemed to me to be one of the most conclusive and powerful arguments that even he has ever produced on any question submitted to the House. The right hon. Gentleman showed very plainly what, I have no doubt, has been impressed upon the Committee by other speakers—that this was a proposal, not made directly or primarily with a view to the condition of England, but with a view to the superior efficacy of this Bill for the administration of Ireland. He showed that it would be impossible to apply the new Bill, which we are now discussing, with proper effect to Ireland, if you left a loophole which is left by the unrestricted communication with England. He answered, as it seemed to me, with great cogency of reasoning, the objections made to the introduction of this clause; but at the last moment, and after he had brought the mind of the Committee up to see the importance of the proposal, he tells us that we must pause, that we are not in the position in which we can give a decided vote on the subject; and that, although the Government accepts the proposal and is prepared to stand by it, yet, because it is new to the country, it is necessary we should stop and consider it when we come to Report. I think that is a very false position to take. It seems to me that the Members of the House are elected by the constituencies to consider questions submitted to them, and to give their votes according to their views of the emergencies which may arise. If it could be said that the House was taken by surprise—if it could be said that the House required time to consider the proposal, I think it would be quite reasonable that full time should be given to those who are elected for the purpose of deliberation, to take into consideration all the points that might arise. But if the House has had full and fair warning, as it is admitted that it has had, in this case, if the House has had an opportunity of making up its mind on this subject, I think it is taking an altogether false position to say that we must wait for the expression of the opinion of the country before we give effect to the conclusion to which we ourselves are brought. How are we to get at the opinion of the country? Is it to be by articles in the morning newspapers or by addresses from the various constituencies? It seems to me that the right hon. Gentleman puts us altogether in a false position. If it be admitted that we have now reasonably considered the point, and if the Government themselves are prepared to admit the justice of the contention, I think that we should be taking an entirely false position, and it would display a want of courage on the part of the House, if we did not now decide the question. It is one of the great evils of the present time that there is a want of courage on the part of the Government. We hear expressions from Members of the House, who are dissatisfied with one proposal or other, and when it comes to the point of giving effect to their convictions by their votes they shrink back. I think we ought to set our faces against such conduct as that; and if we are convinced, as I am, by such arguments as those which the Prime Minister has addressed to us, that this is a right step to take, I think it is a step which we ought to take now.

SIR WILLIAM HARCOURT said, he did not think that the charge which the right hon. Gentleman had brought against the Government in this matter was at all a fair one. The truth was that the Government, in considering this matter, naturally desired to learn the opinion of the House—to hear the opinion of the Irish and Scotch Members. The Government had had that advantage —one which he thought the right hon. Gentleman opposite did not enjoy—and, therefore, in that respect they had been able to test the opinion partially of the House. But the right hon. Gentleman must be aware that though the House was moderately full to-night, still it was only a fraction of the Members who had had the opportunity of considering this subject. There were Members who were not present on this occasion, and who probably would be very much surprised in the morning if they found that this question had been decided. ["Oh!"] That was a statement which was perfectly well founded in fact. This, no doubt, was a very important matter, and it was most desirable that nobody in the House or out of it should have a right to say that they had been taken by surprise. The Government had shown no want of courage whatever; but he knew that the right hon. Gentleman and some of those who sat behind him would take up any stone to fling at the Government. That was no reason why, in a matter of this importance, they should embark in small Party personalities of that description. There was a very important matter to be determined, one on which the occupants of the Treasury Bench did not differ from Gentlemen opposite. Therefore, he was extremely surprised that the right hon. Gentleman should have taken the opportunity of throwing every difficulty he could in the path of the Government. The Government thought that the best way of carrying this matter into effect was to give to everyone time to consider the proposition. They had distinctly stated what the view of the Government upon the proposal was. There would be, within a very brief and reasonable space, an opportunity for finally engrafting the decision upon the Bill, and he could not think that that decision would come with less weight because it was made with full knowledge and upon complete deliberation.

Sir H. DRUMMOND WOLFF said, the right hon. Gentleman the Prime Minister had put forward a most extraordinary plea for delaying the decision on this question. It was perfectly plain to him that the Government had got no policy whatever upon the subject. Last year he proposed this very measure on the third reading of the Protection of Person and Property Bill; but he was then overlooked by the late Chief Secretary for Ireland (Mr. W. E. Forster). He then questioned the Home Secretary on the subject. He stated at that time that he was convinced that the American Government would object to their subjects being imprisoned without trial. No notice was taken of his remonstrance; but the prophecy he then ventured to make had been carried out to the letter. On the 24th of April, having heard that remonstrances had been made by the American Government against the imprisonment of the American citizens under the Protection of Person and Property Act, he ventured to address a Question to the Prime Minister; but the right hon. Gentleman referred him to the Under Secretary of State for Foreign Affairs, who said he had nothing to do with the matter. In passing, he might say that it seemed to be the practice of the Prime Minister and the Under Secretary of State for Foreign Affairs to refer Questions one from the other. On the 24th of April he asked the Prime Minister whether the Government proposed to bring in any measure with regard to aliens on the lines of the 11 *&* 12 *Vict.*, c. 20, and he was informed that the Government had no intention of bringing in such a measure. A few weeks afterwards, however, the Government brought in a Bill in which they introduced the very provision he had ventured to suggest to them. On the first day of this Bill he put on the Amendment Paper the Amendment which was now before the Committee; but he had withdrawn his priority in favour of the hon. and learned Gentleman who had now moved it, because he thought the Government might accept it more graciously from one who always sat behind the Prime Minister than from one who constantly sat opposite to him. In regard to this Amendment, it seemed to him that if that Bill was passed dealing with aliens who had plotted against the Government, there ought to be the same power of dealing with them in Liverpool as in Dublin; and he could not conceive why the Government should neglect the means they had of preventing conspiracies which might be arranged in any part of the country. Their objection could only be due to that cause. The Amendment had been on the Paper ever since the Bill was first brought in, and the whole country had had as much opportunity of judging of that Amendment as of any other of the Amendments proposed. It had never been argued by the Government that they ought to consult the country upon every item of the Bill; but because the right hon. Gentleman saw that the Amendment recommended itself to the common sense of the Committee, and because he wished to preserve the self-conceit of the Government, he would not accept the Amendment, and tried to preserve his pride by saying the Government must appeal to the country. The right hon. Gentleman had made a most powerful appeal to the Committee in favour of this Amendment, and made use of arguments stronger than anyone else could advance, and in language that was more powerful and picturesque than any other Member of the House could command; but because the Government did not know where they were, or whom to consult with—whether to make up with the Radicals or Whigs, the Government now proposed to postpone the Amendment to the Report, in order that the Government might see how the cat jumped. The Government were in great danger in exercising any power against aliens, except under special provisions; and this evening the Under Secretary for Foreign Affairs had informed the House that in Turkey, as well as in other countries, there was a law which enabled Governments to deal with and expel aliens. That law did not exist in this country, and the House did not want the Government to have power to expel foreigners for political misdemeanours in their own countries, or to give them up for rebellion against any Governments in their own countries; but what the House wanted was, that if an alien committed an offence, or conspired to commit an offence, against the Realm, then the Government ought to have the power to expel him, or to call upon him to give security for good behaviour. No foreign Government could object to that, but they could object to special legislation for their subjects. The foreigner did not not stand on all-fours with the native of this country; he could always appeal to his Government if he thought he was exposed to injustice; and on this ground he (Sir H. Drummond Wolff) appealed to the Government not to give way to the sentiment of false pride, but allow this Amendment to be carried without further postponement.

Lord EDMOND FITZMAURICE said, notwithstanding the rather excited declamation to which the Committee had just listened, he believed the Government had come to a wise conclusion in not attempting to decide this matter this evening. After all, what was the object of the stage of Report? It was to give an opportunity to the House to reconsider, after mature deliberation, any questions which, in the course of Committee, might have been unexpectedly brought forward, and which in Committee itself could not arise at a point at which the Committee would wish to have them finally settled. He would ask hon. Members who had been in Committee this evening, and did not come down, like the Leader of the Opposition and the hon. Member for Portsmouth (Sir H. Drummond Wolff), at the eleventh hour, to tell the Committee, while they had not heard the arguments, yet they had fully made up their minds—he would ask the Committee whether they really thought this question, which had been brought forward in an unexpected manner to a certain extent, should be disposed of with a rush this evening? He did not mean to cast any reflection upon his hon. and learned Friend (Mr. Morgan Lloyd), and all he meant was that to many Members the question was comparatively new. He believed the course recommended by the Government was far wiser, and that it would be better to wait and apply the old proverb—"When in doubt do nothing." He had always had a great respect for that proverb, and he believed that very often it might save individuals, and even Governments, from acting in a hurry. He did not desire to prejudge this question, but he certainly thought the Government were wise in asking for time to be fully informed on the matter. Nobody could have heard the debate without feeling that complicated issues were involved, and that the Committee and the House would gain time by some further discussion; and he appealed to the Government not to be hurried by the excitement of the moment, but to give time for the question to be fully considered and fairly placed before the country.

Mr. LABOUCHERE said, he thought the course taken by the Prime Minister would render him liable to the complaint of the Home Secretary, as against the opponents of the Bill yesterday, that there was procrastination. He himself was exceedingly glad that the Prime Minister had taken this course, because he had not quite made up his own mind as to how he should vote, although it was possible that he should arrive at a conclusion before Report was reached. On the one hand, he was entirely opposed to any powers being given to the Executive to remove aliens from any part of these Realms, whether England or Ireland; therefore, he should naturally vote against the Amendment. On the other hand, he could not help thinking it very possible that the strong feeling which existed in England against the Alien Bill might lead the English people, when they saw that they themselves were included in this Bill as well as the Irish, to be anxious that the Bill should be repealed before the end of the three years. He had, therefore, to take these two views into consideration in order to decide as to the way he should vote.

Mr. JOSEPH COWEN said, he had persistently and systematically opposed this Bill; but he was not disposed to adopt a Machiavelian policy. He objected to this clause for Ireland and also for England. There was force in the observations of the Leader of the Opposition when he said the House was not to be guided altogether by people outside. Hon. Members were there as Representatives and not as delegates; and so far, at all events, as he was concerned, he exercised his right to vote as circumstances dictated, irrespective of outside opinion, and he did not doubt that the body of the House acted in the same way; and certainly he thought they ought to do so upon this question. But, although he said that, he agreed in the wisdom of adjourning the consideration of this clause, for this reason—not that the country might be asked to make up its mind, but that the House should have a further opportunity of considering the question. It was said that this Amendment had been on the Paper for some time. But there was a large number of Amendments on the Paper, and Members of the House of Commons did not pay attention to all of them; and they all knew that the Government had assented to very few of the Amendments; and, therefore, no one believed when this Amendment was on the Paper that the Government would agree to it. He thought even the supporters of the Amendment would agree that no harm could be done by adjourning its further consideration. If there was that strong opinion in its favour which was alleged, those in favour of the Amendment would get stronger support on Report; but if there was a strong feeling against the clause, then it would be fair that hon. Members not present in the House should have an opportunity of seeing and realizing its full effect. It should be remembered that the discussion had taken place in a comparatively thin House, and it was but reasonable that the decision should be delayed to another day. Thus far he agreed with the Government in the course they had adopted; but he entirely dissented from them in asking for the clause at all. The right hon. Gentleman said it was not needed in this country because there was a general belief that crime, if discovered, would not go unpunished. Everybody admitted that, and the Home Secretary had had proof of that in his short period of Office, for there was a man now in prison, not for such an offence as this clause aimed at, but for expressing approval of assassination in other countries; he referred to the case of Herr Most, and he believed the same public spirit which sent that man to prison would send others to a like punishment for similar offences. Therefore, there was no necessity for this Act in England; but the point which would touch English people most was that by this clause one of their most cherished principles would be destroyed. Hon. Members might use arguments against or for what would be submitted to them; but the bulk of the people on this subject were moved by sentiment. It had been the proudest boast of Englishmen that, when men had been expelled from other countries for political principles, here they found an asylum. That right would be trenched upon by this clause. ["No, no!"] Hon Members said "No, no!" but he had listened to this discussion, and if he had not been conscious that he was in England he should have thought he was in an Austrian or Russian Assembly. The doctrines preached, the suggestions made, the principles enforced, would have found a fitting echo in the mouth of a Gortchakoff or a Metternich. The right of asylum was dearly cherished by Englishmen. The Prime Minister urged that men should be turned from the country who took action against the peace and tranquillity of the nation. He (Mr. Joseph Cowen) suspected that there were Gentlemen opposite who thought the peace and tranquillity of the nation had been disturbed by certain speeches in Mid Lothian. Was that a sufficient justification for depriving a man of an asylum in this country. This clause did not say that the right of asylum was to be denied to political partizans, but it included that. A great nation, whom we were glad to recognize as an ally, had recently mourned the death of a noble patriot. He had had the honour and privilege of that man's friendship for 26 or 28 years; but he had known him denounced by the Press of Europe as an assassin and a murderer. That man could have been driven from these shores under a clause of this kind; but the first time he (Mr. Joseph Cowen) ever saw the Prime Minister the right hon. Gentleman was in the company of Garibaldi—a man who had disturbed the peace and tranquillity of many countries. Other men equally distinguished in the politics and literature of Europe would equally have suffered under such a clause. While he was satisfied with the wisdom of the Government in allowing this clause to be discussed at a later period, he exceedingly regretted that they had assented to it. The present Government came into Office pledged more than any other Government to Liberal principles; they had been in Office for three years, and during that time they had suspended the Habeas Corpus Act, they were at present passing a Bill which would take away trial by jury and the privileges of the Press, and now they proposed to re-enact the Alien Act. The hon. Member for Stoke did not incorrectly represent the sentiments of this country when he said that when this matter came to the knowledge of the people he believed the Government would find a feeling against them more bitter and determined than they had any conception of. By this Bill the Government would touch the keenest and most sensitive of national sentiments. Delay would give them an opportunity of discussing this question at a later period, although when it came up at a later period he should contest the matter in every way he could.

SIR JOSEPH PEASE said, he thought that, if the Government felt that they were right in the course they proposed of confining the operation of the Alien Act to Ireland, the speech which had just been delivered must have shown that they were wrong in doing so. If there had been any doubts as to their course these doubts must have been confirmed by the speech of the hon. Member for Newcastle (Mr. Joseph Cowen). That hon. Gentleman was the man in that House, who, above all others, had been a determined opponent of this Bill from its very commencement. He had objected to every line, and although he now supported the Government in putting off this question for further consideration, he did so in order that he might have another opportunity of again discussing this very question, and opposing it. He could well understand that attitude on the part of the hon. Member If the Committee had arrived, as he believed they had arrived, at a judgment which they believed to be sound, why should they not record that judgment? If it was found that an error had been made there would be opportunity, on Report, for reversing their decision. The hon. Member for Stoke thought this clause would be an unpopular one with the working classes of this country. He, however, begged to take an opposite view. He agreed with the eloquent words of the hon. Member for Bedford when he said that he believed we were on the verge, by procrastination in legislation, of driving the feeling of the working classes of the country against Ireland, and against those things which he, for one, wanted to see carried out in Ireland for the sake of the Irish people. He believed that the policy now proposed was the right policy to be pursued towards Ireland—namely, the policy of legislating also for England. He believed this clause would touch no honest foreigner in England—no man who came to this country for purposes of trade or pleasure, no man who acted from political motives of a sound and proper character. But it would, he believed, operate against those aliens who came to this country and were believed to have been engaged in assassination—those aliens that we all had been in constant dread of. Our public buildings had been threatened in almost all large towns in the Kingdom, and public authorities were kept in constant alarm. He believed the Committee had come to the conclusion to record their desire that the Alien Act should be applied to England under certain conditions, and he hoped the Government would refuse to postpone the consideration of this clause.

MR. O'DONNELL said, he thought the hon. Baronet, in his reference to the words of the hon. Member for Stoke, and the hon. Member for Newcastle (Mr. Joseph Cowen), had quite misunderstood those hon. Gentlemen. He had misunderstood the force, the motives, and opinions represented by those hon. Members in denouncing this last instalment of tyranny. He, as an Irish

Member, was not altogether sorry to see this clause introduced for the benefit of Englishmen; but, in denouncing this last instalment of tyranny, English Members below the Gangway only professed to speak on behalf of the workmen of England, and he was not aware that a single word had fallen from their lips to lead the House to suppose that they were speaking on behalf of the brand-new Baronets of the Liberal Party. Of course, the important and lately reinforced class for which the hon. Baronet was qualified to speak would support him in his views. He could not but think that there was a great deal of truth in the reproach of the right hon. Baronet the Leader of the Opposition, when he suggested that there was a little cowardice in the present attitude of the Government. He thought there was a little cowardice in their attitude, and he hoped hon. Members would do all in their power to bring the Government up to the scratch on the present occasion. For his part, he thought Her Majesty's Liberal Ministry, which had so successfully covered Ireland with humiliation and degradation, might well introduce for their own country a measure which would expose them to some of the same degradation. The proposal was to extend to England the Alien Act which had been applied to Ireland under this Coercion Bill; and they were told in words, which the hon. Member for Newcastle had justly said would not be unworthy of the servile orators of the Second Empire, that the Alien Bill was not in any sense hostile to the innate Liberalism of the English people. In carrying out the provisions of the former Alien Act, the punishment of persons was sought for offences committed against the laws of England; but there was this guarantee, that an alien became subject to the Constitution of England, subject to the equal laws, and the equal justice of England; and if he were accused of crime he had an Englishman's right to be tried according to the laws of England. Would that be the case under the present Bill? No! Under that Bill a man whom the Government were persuaded for any reasons was dangerous to the peace and tranquillity of the Kingdom would be suspected, but not tried; he would be judged in the Star Chamber, and hunted out of the country by a Government who were afraid to bring him before a jury of Englishmen. That was the change which the Government were now introducing. Their oracles declared that no man free from crime would be liable to punishment in England under this extension of the Alien Law. But what guarantee had they that a feeble Government — say a Government even more feeble than the present—would not yield to the solicitation of some great Power, in the hour of National or Party emergency, and discover than an alien, who was an object of terror to a foreign mind, was plotting against the peace and tranquillity of England, when, in reality, he was only disturbing the slumbers of a distant tyrant. When this law was passed, and trial by a fair tribunal abolished in the case of an alien, where was the guarantee that he would be found guilty of having committed a crime against the peace and tranquillity of England? He would be brought before no jury—no witnesses would be placed in the witness-box against him; no publicity would guard that man, whose exile from England was the mandate of some foreign ally to the Government of the day. He certainly would not be able to support Her Majesty's Government were they to bring this matter to a decision on the present occasion. But this proposed law—this abolition of the most cherished privilege of Englishmen—was a matter at which Irish patriots ought not to feel sorry. It was only an illustration of the principle, that "when you do injustice to others, you will surely suffer from that injustice yourself;" those who become slave-drivers would find before many days had elapsed that the lash of the slave-driver was curling about their own shoulders. He had heard it said by one of the most distinguished political writers of this country that one of the first effects and the worst effect of despotism or despotic administration, even in a country so far distant as India, was that it tended to intermix in English society men whose views were necessarily coloured by the practice of despotism in Hindostan. Despotism had now taken up its permanent abode in front of the English shores, and it was easy to see that as the contamination of English despotism in Ireland became more close, so the contagion was becoming more effective. He congratulated the English Parliament on its rapid descent; he prophesied with confidence that this would not be the last step that would be taken in the direction of this new departure; and he confessed that he should be sorry to find that the appeals of the hon. Members for Stoke and Newcastle-on-Tyne had had any substantial effect in checking the hand of the Government in this matter. He hoped that as they had degraded Ireland, so they would succeed in degrading and disgracing themselves.

MR. ROUNDELL said, he regretted that he was unable to support the conclusion at which the Government had arrived with regard to the postponement of this question. It appeared to him that the sense of the Committee was clearly in favour of the Amendment. Moreover, they had heard from the Prime Minister that the Government accepted it; and the question before the Committee was whether they should decide upon the Amendment which had already received the sanction of the Government or postpone it to a future stage of the Bill. He was clearly of opinion, upon every ground of sound Constitutional principle, that the matter ought not to be postponed. He regretted to have heard the Home Secretary use the argument that the Committee was not at present sufficiently constituted to determine so grave a question, because it appeared to him that the House was largely constituted, more so than it had frequently been in determining many grave questions. But he went beyond that. He appealed to the practice of ordinary public life, and asked whether it was a valid argument to say that, because certain Members of the House happened to be absent, therefore those who were present were not entitled to decide? He had always understood that it was the first principle of public life that those who were absent should be bound by the decision of those who were present; and, on that ground, he held that no good argument had been advanced for the postponement of this Amendment. Again, for some reason which he was at a loss to understand, the Committee had been told that they must postpone the determination of this question until some authority outside the House had pronounced upon it. That he held to be a most dangerous doctrine. He contended that, as the Representatives of the people, they were fairly entitled to determine questions which came before them at full notice, as was the case with the Amendment before the Committee. Had time permitted, he would willingly have joined issue with the hon. Member for Newcastle, when he alleged that the opinion of the English people was against the re-enactment of the Alien Act. He differed from everything which the hon. Member had stated on that point. They could well understand that the English people were jealous of the right of asylum; but then that right of asylum was only extended to foreigners who were alleged to have committed political offences against their country; whereas, in the present case, they were dealing with conspirators, who had been justly described as making these shores the basis of their operations, and doing their best to aim a deadly blow at the integrity of the Empire. He had no sympathy with conspirators of that kind. He had heard several references, in the course of the discussions on this Bill, from the hon. Member for Newcastle and others, to the views of the English people. Now, he felt qualified to speak on that subject with some degree of confidence. A short time ago he had taken part in the election for the West Riding of Yorkshire, where he had the means of judging what was the feeling of the electors of a district which might be described as one of the most representative constituencies in the Kingdom. The result of his experience was a confirmed and clear conviction that the people of England were determined, come what might, to put down this foul conspiracy. He had been animated in the silent votes which he had given, and which he should continue to give, throughout these discussions, with a desire to do what lay in his power, without going beyond the necessities of the case, to arm the Irish Executive with the means of dealing a strong and decided blow against this most nefarious conspiracy.

MR. R. T. REID said, they were all in favour of maintaining law and order in Ireland, and it was quite unnecessary for the hon. Member for Grantham (Mr. Roundell) to remind them of that duty; but what he deplored was that so many Members of the Liberal Party should, with such remarkable alacrity, vote the re-enactment of the Alien Act in England under circumstances in which no fair notice had been given to the country. The terms of this Amendment, in the first place, did not clearly convey to those who were not thoroughly acquainted with the Act what was the subject-matter which the Amendment proposed to deal with. Moreover, they had had no intimation from the Government, until the last moment, that they were willing to accept this Amendment any more than other Amendments upon the Paper. That being so, he was satisfied many Members of the House had not the slightest idea that so grave a matter was being discussed at that moment in Committee. The Government, although they were of opinion that this Amendment should be accepted, were also of opinion that further time should be given for its consideration; and he was surprised that Members of the Liberal Party, who had taken an opportunity of announcing their views, should, in the absence of other Members, be determined, contrary to the wishes of their Leader, to press on the Committee to an immediate settlement of this question, instead of waiting for the stage of Report. He regretted most sincerely that, as at present advised, he could not agree with the conclusion of Her Majesty's Government. His respect for the Prime Minister was second to that of no man in the House; but the argument put forward by him was one was one that might be adduced to-morrow for the permanent re-enactment of that measure, which had been condemned by the opinion of most men.

Sir R. ASSHETON CROSS said, he understood the Government to have thoroughly considered this question, and to have arrived at a conclusion that it was quite right that the Alien Act should be extended to England. Now, if the Government had solemnly arrived at that conclusion, he asked why it was they wished the question postponed? Did they mean that if they found the country not to be in favour of the conclusion at which they had arrived they would withdraw from it? They had stated deliberately that, in their opinion, the Amendment should be accepted; and, therefore, there could not be the smallest reason why the Committee should postpone their decision upon it. It seemed to be trifling with the Committee for hon. Members to get up and say that the country had not had an opportunity of considering an Amendment placed upon the Notice Paper. Why, the Committee were considering the question at the present moment. It was their function to consider it, and they were not to be put off from deciding upon the question simply because it was a grave one, and because it was stated that the country had not had an opportunity of considering it. The Members of that House were bound to their constituencies to give their votes on every question which came before them when those questions presented themselves. The Government must have considered the question carefully before they gave the advice which they had offered to the Committee, and having given that advice, he contended that it was the duty of every Member to vote upon the question at once, in accordance with his own views. Under the circumstances, he trusted the Committee would not agree to a postponement of the question.

Mr. GLADSTONE said, when he made a request to the Committee with reference to this subject he stated the views of the Government in unequivocal terms, believing, at the same time, that the request made was a perfectly usual one. He took the opportunity of saying, with respect to the speech of the hon. Member for Grantham (Mr. Roundell), that, in the first place, he had ascribed either to himself or to his right hon. and learned Friend the Secretary of State for the Home Department, sentiments which they certainly never uttered; and he doubted whether the hon. Gentleman would have made that statement had he been for a longer time conversant with Parliamentary practice in matters of the kind. It had always been the practice to concede to the Government a large discretion, and even a large indulgence, as to the choice of the time at which they should invite the final decision of the Committee upon a point which materially affected the structure of their own Bill. He ventured to found that statement upon a rather wide experience. However, the request he had made had evidently been refused by the two right hon. Gentlemen opposite and the hon. Member for Portsmouth, who, by the way, were not present when the speech of the hon. Member for Stoke, upon which he partly founded his request, was delivered. It was certainly most complimentary that the right hon. Baronet the Member for North Devon, not having heard the debate on this subject, should at once, without listening to what was said by anyone else in opposition, have expressed himself so satisfied with the force of his arguments that he was determined not only to vote for the Amendment himself, but to afford him an opportunity of giving that night a vote which he had expressed his intention of giving on a future occasion. That was so gratifying that he had only to express the hope that on other occasions the right hon. Gentleman might be disposed to accord him some portion of the same favour, and he should consider that one of the most noteworthy circumstances in his career. The right hon. Gentleman was also pleased to remark upon his want of courage. Without saying that the rebuke was undeserved, he certainly felt that if he were a political coward then, the limited span before him afforded him no hope of any improvement in that respect. The Government were asked why they requested this delay? It was certainly not in order that they might reconsider their judgment, nor that they might surrender their deliberate judgment to any sentiment out-of-doors. There were two considerations quite apart from these that appeared to justify and recommend their making to the Committee a request which he believed to be altogether usual and customary. One was in reference to the speech of the hon. Member for Stoke (Mr. Broadhurst), who stated that great dissatisfaction would arise from the adoption of a measure of this kind on an Irish Bill, the country being under the impression that it was not to contain any legal provisions relating to England. Now, he wished especially to state that he desired to avoid any dissatisfaction arising from the wholly irrational idea that the present Bill was of an insidious character; and, that being so, the suggestion he had made could not be regarded as illegitimate. He thought that while they acted on their own judgment their action should be so timed as not to afford any solid or plausible ground for discontent. The other reason which operated in the Government mind was this—that although his hon. and learned Friend the Member for Beaumaris (Mr. Morgan Lloyd) had perfectly performed his part in giving Notice of his Amendment, yet as his Notice came amongst a crowd of others, and there had not been the smallest intimation of the intention of the Government with respect to it, the Government deemed themselves not only within their right, but governed by their duty, when, out of respect to the Committee, they requested that its decision should be postponed until they had had an opportunity of weighing and considering the matter fully. He did not recede from the request he had made. The Government had expressed their sentiments on the merits of the Amendment, and were now entirely in the hands of the Committee. He hoped his hon. and learned Friend would be allowed to withdraw his Amendment; but if he were not allowed to do so, they must vote on the merits of the Amendment, without reference to those circumstances of time and place, to which, in conformity with usage, they were prepared to have accorded a large consideration.

SIR JOHN LUBBOCK said, it was a mistake to suppose that the Amendment was necessary to extend the Alien Act, under this Bill, to Great Britain. The clause, as it stood, would apply the Alien Act to Great Britain, for it said—

> "An order shall not be made directing any alien within Great Britain to depart this realm, except in the case where an order of the Lord Lieutenant has been made directing an alien in Ireland to depart the realm; but in such case an order may be made in Great Britain respecting such alien."

It seemed to him, therefore, that the Amendment was not of that practical importance described by hon. Members around him. He did not, however, see why hon. Members from Ireland should object to the Amendment, which dealt only with England, if English Members desired it; or why English Members, who would revive the Alien Act so far as Ireland was concerned, should so strongly oppose its application to this country. His hon. Friend the Member for Stoke-upon-Trent (Mr. Broadhurst) had spoken of the feeling of London. Well, he (Sir John Lubbock) represented a portion of London, and he could not agree with the hon. Member in the opinions he had expressed with regard to the Metropolis. The Committee, he thought, under all the circumstances, might very well accept the Amendment of his hon. Friend.

MR. THOMAS COLLINS said, the only question the Committee had to decide was this. [*Cries of* "Divide!"] He was afraid, if he was to be interrupted in this way, he would be driven to the course of moving the adjournment of the debate. The question the Committee had to decide now was whether they ought to divide on the merits of this question now, or adjourn the division to the Report. If this discussion had come on in a thin House, at 9 o'clock, there might have been some ground for suggesting that the question should be postponed, and for saying that hon. Members had not had an opportunity of considering it. But when he saw the Benches so full he was led to doubt very much whether, even on Report, they would be ever likely to get a larger number of Members together on the Bill. There was no reason whatever why, if this clause was to apply to aliens in Dublin, it should not apply to aliens in every other city in Great Britain who were believed to be in these nefarious and mischievous conspiracies. He agreed with every word that had fallen from the hon. Member for Grantham (Mr. Roundell) that the Committee had had ample Notice of this Amendment. Notice of it had been given in duplicate—by the hon. and learned Member who had moved it, and also by the hon. Member for Portsmouth (Sir H. Drummond Wolff). The country, therefore, must have had ample opportunity of knowing that a question of this sort would be brought before the Committee; but even if the country knew very little about it, Members of Parliament were not delegates, but were elected for the purpose of freely considering whatever questions might come before them. It was for them, and not for people out-of-doors, to decide questions of this sort. He hoped the Amendment would be pressed to a division, and that it would not be left to be considered on Report.

COLONEL NOLAN said, he was only going to ask a question. He understood that this Amendment would be put before the clause; well, with regard to that, he wished to ask a question, and he desired to be informed whether he should put that question now, or after the division had been taken?

THE CHAIRMAN: Not only the Committee, but the House, had this Amendment before them. It was on the Paper during the whole of the discussion on the second reading, and the Committee has had it before them for some time. No points have been raised, and I am of opinion that it is entirely within Order for the Question, "That the Clause, as amended, stand part of the Bill," to be put.

MR. PARNELL said, that, although there might not be good reason for postponing the vote on this question until the Report, there was, at all events, good reason for postponing it until tomorrow. He would remind the Committee that it was only at about half-past 10 that the Government, to the astonishment of the whole Committee, in the most unexpected manner, and after having shown all the afternoon every appearance of being doubtful as to the course they should take, announced, for the first time, that they were going to take this very important step. The course they were adopting meant the re-enactment of the Alien Act of 1848 for the whole of the United Kingdom. Under these circumstances, and in view of the fact that only two Irish Members had spoken with regard to this very important change, the Committee might very fairly be asked to agree to the Motion to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

MR. GLADSTONE said, he trusted the Motion would not be persevered in. The urgency was very great, and the Bill had been long delayed. He was aware that, from its character, much discussion was required and justified. He would not enter into any criticism as to the amount of discussion which had taken place further than to say that he should not, perhaps, be overstepping the mark in saying that the discussion had been very long. The proposal he had made earlier in the evening would have the effect of giving sufficient time to consider the question on its merits to those who had not previously heard the proposal itself, and were not acquainted with the decision of the Government. He could not think that any advantage would accrue from postponing the discussion for 13 hours—from 1 o'clock until 2 in the afternoon. The Amendments to-night had been sufficiently—he might, perhaps, say exhaustively—discussed, and in many quarters ably discussed. A postponement for 13 hours would be a pure waste of time. Hon. Members below the Gangway opposite had refrained from unnecessarily interposing all the evening. He hoped they would not forfeit the title they had earned to credit for their moderation by insisting upon this Motion to report Progress.

Mr. T. P. O'CONNOR said, that, although the Amendment had been on the Table many days, the Government had not given an intimation of their intention with regard to it until a late hour this evening. The Committee was taken by surprise, and he thought that both hon. Gentlemen opposite and hon. Gentlemen on the Opposition side of the House—who had taken, comparatively speaking, no part in the debate—would be justified in supporting his hon. Friend's Motion, so that the decision should not be taken in a hurried and haphazard manner.

Mr. HEALY said, that, as the Committee were aware, if the Amendment were carried, it would defeat the putting of any further Amendments to the clause as it stood in the Bill. There were a number of Amendments to the latter part of the clause standing in the name of the hon. Members for Launceston, Limerick, and others; but these Amendments could not be moved if that now before the Committee were adopted, except in the shape and in the nature of Provisoes. He thought, therefore, it would only be fair that, as soon as this Amendment was carried, an opportunity should be given to hon. Members to put their Amendments in the shape of Provisoes. It would be very hard upon hon. Members if, in consequence of an Amendment with which they had nothing to do to another part of the clause, they should be prevented from bringing forward their proposals. The Government awhile ago stated that they were unable themselves to come to a vote tonight, and would prefer to postpone the matter to the Report stage. Would the right hon. Gentleman have any objection to informing the Committee what guidance he was going to offer to his followers in the shape of his own vote? The Committee had refused to accede to the postponement of the matter to the Report, and he thought they were entitled to know what course the Government were going to take.

Mr. GLADSTONE said, he had made a request, to which he still adhered; but that request had been refused. The only question, therefore, before them was to vote upon the Amendment on its merits. They had given their opinion upon the merits, and now it was only for them to vote for the Amendment.

Mr. PARNELL said, he would not stand in the way of a division being taken, as a great many hon. Members had come down to vote on the Amendment. The Irish Members, he thought, were entitled to have an opportunity of stating why they considered they ought to oppose the Amendment. The hon. and learned Member for Christchurch (Mr. Horace Davey) had asked what interest the Irish Members took in this matter? Well, they would have an opportunity of expressing their views, and of replying to the hon. and learned Member, in the discussion on the question that the clause stand part of the Bill.

Motion, by leave, *withdrawn.*

Mr. MORGAN LLOYD said, that, so far as he was concerned, he was entirely in the hands of the Committee. With regard to the appeal which had been made to him by the Prime Minister, he should be willing, although with some reluctance, to postpone the matter to the stage of Report.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 51; Noes 228: Majority 177.

AYES.

Barran, J.
Biggar, J. G.
Borlase, W. C.
Bright, J. (Manchester)
Bruce, hon. R. P.
Buchanan, T. R.
Burt, T.
Buszard, M. C.
Byrne, G. M.
Callan, P.
Commins, A.
Corbet, W. J.
Dillon, J.
Elliot, hon. A. R. D.
Flower, C.
Gill, H. J.
Grant, A.
Gray, E. D.
Hopwood, C. H.
James, C.
Jenkins, Sir J. J.
Lalor, R.
Lawson, Sir W.
Leamy, E.
M'Carthy, J.
Molloy, B. C.
Morley, A.
Nolan, Colonel J. P.
O'Connor, A.
O'Connor, T. P.
O'Gorman Mahon, Col The
O'Kelly, J.
O'Sullivan, W. H.
Parnell, C. S.
Peddie, J. D.
Power, J. O'C.
Power, R.
Redmond, J. E.
Rylands, P.
Samuelson, H.
Sexton, T.

Sheil, E.
Sheridan, H. B.
Smith, E.
Smithwick, J. F.
Storey, S.
Sullivan, T. D.
Webster, J.
Wedderburn, Sir D.
Whalley, G. H.
Williams, S. C. E.

TELLERS.
Broadhurst, H.
Cowen, J.

NOES.

Acland, Sir T. D.
Alexander, Colonel C.
Allen, H. G.
Allsopp, C.
Armitstead, G.
Ashley, hon. E. M.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Balfour, J. B.
Baring, T. C.
Baring, Viscount
Barttelot, Sir W. B.
Beach, rt. hon. Sir M. H.
Biddell, W.
Biddulph, M.
Birkbeck, E.
Blennerhassett, Sir R.
Bolton, J. C.
Brassey, H. A.
Brassey, Sir T.
Brett, R. B.
Bright, rt. hon. J.
Brinton, J.
Broadley, W. H. H.
Brooks, W. C.
Bruce, rt. hon. Lord C.
Burghley, Lord
Campbell, J. A.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carington, hon. R.
Carington, hn. Colonel W. H. P.
Cartwright, W. C.
Causton, R. K.
Cecil, Lord E. H. B. G.
Chamberlain, rt. hn. J.
Chaplin, H.
Childers, right hon. H. C. E.
Clifford, C. C.
Coddington, W.
Colebrooke, Sir T. E.
Collins, T.
Compton, F.
Corry, J. P.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowper, hon. H. F.
Creyke, R.
Crichton, Viscount
Cropper, J.
Cross, rt. hon. Sir R. A.
Crum, A.
Dalrymple, C.
Davenport, H. T.
Davey, H.
Davies, R.
Dawnay, Col. hon. L. P.
Dawnay, hon. G. C.
De Worms, Baron H.
Dickson, Major A. G.
Dickson, J.
Dickson, T. A.
Digby, Col. hon. E.
Dilke, Sir C. W.
Dodds, J.
Dodson, rt. hon. J. G.
Douglas, A. Akers-
Duckham, T.
Duff, R. W.
Dyke, rt. hn. Sir W. H.
Ebrington, Viscount
Egerton, Adm. hon. F.
Errington, G.
Estcourt, G. S.
Evans, T. W.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Fenwick-Bisset, M.
Ferguson, R.
Ffolkes, Sir W. H. B.
Filmer, Sir E.
Finch, G. H.
Findlater, W.
Fitzwilliam, hon. H. W.
Fletcher, Sir H.
Foljambe, C. G. S.
Foljambe, F. J. S.
Forster, Sir C.
Fowler, R. N.
Fowler, W.
Fry, L.
Garnier, J. C.
Gibson, rt. hon. E.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Sir A.
Goschen, rt. hon. G. J.
Grant, Sir G. M.
Gregory, G. B.
Halsey, T. F.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hartington, Marq. of
Hay, rt. hon. Admiral Sir J. C. D.
Hayter, Sir A. D.
Heneage, E.
Herschell, Sir F.
Hibbert, J. T.
Holland, Sir H. T.
Holms, J.
Home, Lt.-Col. D. M.
Howard, E. S.
James, Sir H.
Jardine, R.
Johnson, W. M.
Kennard, Col. E. H.
Kingscote, Col. R. N. F.
Kinnear, J.
Lawrance, J. C.
Lawrence, Sir J. C.
Lawrence, W.
Lea, T.
Leatham, W. H.
Lefevre, rt. hn. G. J. S.
Leigh, hon. G. H. C.
Leighton, Sir B.
Leighton, S.
Lewisham, Viscount
Lloyd, M.
Loder, R.
Long, W. H.
Lowther, rt. hon. J.
Lubbock, Sir J.
M'Arthur, A.
M'Garel-Hogg, Sir J.
M'Intyre, Æneas J.
Mackie, R. B.
Mackintosh, C. F.
Magniac, C.
Marjoribanks, E.
Maskelyne, M. H. Story-
Mason, H.
Maxwell, Sir H. E.
Mellor, J. W.
Milbank, Sir F. A.
Mills, Sir C. H.
Monckton, F.
Monk, C. J.
Moore, A.
Moreton, Lord
Morgan, rt. hon. G. O.
Morgan, hon. F.
Morley, S.
Mundella, rt. hon. A. J.
Murray, C. J.
Newport, Viscount
Northcote, rt. hon. Sir S. H.
Onslow, D.
O'Shea, W. H.
Paget, T. T.
Palmer, C. M.
Parker, C. S.
Patrick, R. W. Cochran-
Pease, Sir J. W.
Peel, A. W.
Pell, A.
Pemberton, E. L.
Pender, J.
Percy, Lord A.
Plunket, rt. hon. D. R.
Porter, A. M.
Portman, hn. W. H. B.
Powell, W. R. H.
Ralli, P.
Ramsden, Sir J.
Rankin, J.
Rathbone, W.
Richardson, T.
Ridley, Sir M. W.
Roberts, J.
Rogers, J. E. T.
Rothschild, Sir N. M. de
Round, J.
Roundell, C. S.
Russell, Lord A.
Russell, G. W. E.
Salt, T.
Sclater-Booth, rt. hn. G.
Severne, J. E.
Simon, Serjeant J.
Smith, rt. hon. W. H.
Stanley, rt. hn. Col. F.
Stanley, hon. E. L.
Stanley, E. J.
Stewart, J.
Storer, G.
Summers, W.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hn. Col. T. E.
Thornhill, T.
Tollemache, H. J.
Tottenham, A. L.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Vivian, A. P.
Walrond, Col. W. H.
Walter, J.
Warton, C. N.
Waugh, E.
Whitbread, S.
Whitley, E.
Wiggin, H.
Williamson, S.
Willis, W.
Wills, W. H.
Winn, R.
Wodehouse, E. R.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Yorke, J. R.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Storey.*)

Sir WILLIAM HARCOURT said, there were no complications about the clause, so far as he knew, and he did not know why they could not go on a little longer.

Mr. PARNELL said, the proposition the right hon. and learned Gentleman was in reality making to them was, that they should swallow the Alien Act of 1848 without any examination. The right hon. and learned Gentleman did not give them time to consider what the Alien Act was. Though the right hon. and learned Gentleman might be desirous of having the Act revived in its full effect, the Irish Members, at least, were anxious not, if they could help it, to allow the Act to be revived in an unlimited form. All the Amendments on the Paper had been disarranged by the course the Government had taken, and he considered it was absolutely necessary the Government should have an opportunity of considering the Amendments on the Paper.

Sir WILLIAM HARCOURT said, if there was any real desire to report Progress he should not oppose the Motion.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

ARREARS OF RENT (IRELAND) BILL.

(*Mr. Gladstone, Mr. Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

[BILL 163.] COMMITTEE.

Bill *considered* in Committee, and *reported;* to be *printed,* as amended. [Bill 213.]

Motion made, and Question proposed, "That the Bill be re-committed for To-morrow, at Two of the clock."

Sir R. ASSHETON CROSS asked, whether it was really wise to put the Bill down for that time, because it could not be reprinted by 2 o'clock, and could not come on at that time.

Mr. COURTNEY said, the Bill would be delivered at 2 o'clock.

Mr. ONSLOW inquired whether the Amendment to the Bill, as it now stood, would hold good if the Bill came up at 2 o'clock, considering that the Bill had now been reconsidered?

Mr. SCLATER-BOOTH asked whether it was fair to Members who had put Amendments on the Paper as a matter of form?

Mr. W. H. SMITH said, the question was whether the Amendments on the Paper to the Motion that the Speaker leave the Chair would stand good for the amended Bill? The answer to that question would, he believed, satisfy hon. Members having Amendments.

Mr. SPEAKER: The Amendments on the Motion that the Speaker leave the Chair in going into Committee on this Bill remain as Amendments on the Paper.

Motion *agreed to.*

Bill *re-committed* for *To-morrow* at Two of the clock.

PARTNERSHIPS (*re-committed*) BILL.

(*Mr. Monk, Mr. Gregory, Mr. Barran, Mr. Lewis Fry.*)

[BILL 179.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title).

Motion made, and Question proposed, "That Clause 1 stand part of the Bill.'

Mr. WARTON wished to ask the hon. Member for Gloucester (Mr. Monk) whether he intended to go through with this Bill at this time of night, as there were many hon. Gentlemen who were thoroughly dissatisfied with the measure, and it was only the hon. Member for Gloucester who wished to push it on. He moved that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Warton.*)

Mr. MONK said, he would have been willing to postpone this Bill if it had been the desire of hon. Members having Motions on the Paper; but he had been strongly requested by the hon. Member for South Essex (Mr. T. C. Baring), and by the hon. and learned Gentleman the Member for Christchurch (Mr. Horace Davey) to proceed with the Bill. Therefore, when he was asked the question earlier this evening, by the hon. and learned Member for Christchurch, whether he should proceed with the Bill, he said he should do so, as he believed there was no possibility for the rest of the Session of bringing the Bill on earlier than 1 o'clock. He hoped the hon. and learned Member would not persist in his Motion, as the hon. Members interested in the Bill were all present, and there was no other Bill on the Paper of any importance. He hoped the Committee would go through the Amendments.

Mr. HORACE DAVEY said, as the hon. Member had referred to him, he ought to say that he was not responsible for asking the hon. Member to go on with the Bill at this hour. He held a very strong opinion as to the impropriety of attempting to codify the law at that hour, and in the House attended as at present. What he did say was, that it was a matter of indifference to him whether it was taken to-night or not; but if he was asked whether it was a proper proceeding for the House to proceed with a Bill of this importance, which never had been considered in the House at such a time of night, he should say it was certainly not a proper course.

Mr. T. C. BARING said, he must take upon himself the responsibility of having recommended that this Bill should be taken to-night; and that view he took simply because he disliked having it put down on the Paper night after night, and then, when but few Members were present, slipped through the House. He did not love the Bill; but by putting it off to-night the House would not shelve it, but, on the other hand, would run the risk of its passing through without proper consideration at some late hour when Members interested in it were not present. He could not conceive anything more mischievous to the commercial community than that a Bill so closely concerning them should be passed in such a way. Therefore, he preferred that it should be considered to-night, although if the House could, by a Resolution, table it for the Session, he should be very pleased.

Question put.

The Committee *divided:*—Ayes 50; Noes 55: Majority 5.—(Div. List, No. 171.)

Original Question again proposed.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir H. Drummond Wolff.*)

Mr. CHAMBERLAIN said, he hoped the hon. Member would withdraw his Motion. He thought the hon. Member for Gloucester (Mr. Monk) would not be justified in pressing this Bill against the wish of a considerable minority of the House; but he submitted that it would be proper, now that all those who took a particular interest in the Bill were present, to proceed with its consideration. If the Bill was postponed, he was afraid the prediction of the hon. Member for South Essex (Mr. T. C. Baring) would be verified, and the Bill would be put down night after night.

Mr. T. C. BARING said, he knew that many Members who were interested were present to-night; and he had only discovered to-night how little the Bill was understood; and he had himself put down sundry Amendments. He had spoken to several commercial Members of the House, who, like himself, were unaware that they had been systematically breaking the law for many years, and were entirely ignorant of judge-made law, which was hundreds of years old in many cases. He should vote for the Motion because he thought a Bill affecting the whole commercial community ought not to be passed at such an hour of night.

Mr. MONK said, the Bill had been before the House for several months, and had been read a second time. It had been sent to a Select Committee, and carefully considered and amended by that Committee, and sent back to the House in the form in which they thought that it should pass into law. It obtained the unanimous approval of that Committee in its present shape, and some Members—for instance, the hon. Member for Liverpool (Mr. Whitley)—who opposed certain portions of the Bill, as originally introduced, were now, he believed, as anxious, on behalf of the commercial community, as he himself was that the Bill should pass. He thought it very unreasonable that hon. Members who did not understand the Bill, and did not know the difference between Judge-made Law and Statute Law, should oppose the progress of this Bill. If it was the desire of the Committee that the Bill should be considered at a more convenient season, he should be glad if hon. Members would point out what would be a more convenient season.

Mr. A. J. BALFOUR said, he thought the argument of the President of the Board of Trade insufficient, because all those who were present were Members who had spoken in favour of the Bill.

Mr. R. N. FOWLER said, the hon. Member opposite seemed to complain of the hon. Member for South Essex; but he would remind the Committee that there was no higher authority upon this question than that hon. Member.

Question put.

The Committee *divided:*—Ayes 41; Noes 47: Majority 6.—(Div. List, No. 172.)

Mr. MONK said, that as it was evident the House did not wish to go on he would move that Progress be now reported.

Committee report Progress; to sit again upon *Monday* next.

MOTION.

* * *

CANALS.

NOMINATION OF SELECT COMMITTEE.

Mr. SALT said, he begged to move the nomination of the Select Committee on Canals.

Motion made, and Question proposed, "That Mr. Salt be a Member of the Select Committee on Canals."—(*Mr. Salt.*)

Mr. LABOUCHERE said, he thought he could object to the Motion, on the ground that the names of the Committee were put down last on Saturday. He found the names on the Saturday Paper, but since then they had been altered. The number had been increased by the names of Sir Edmund Lechmere, Mr. James Campbell, Sir Joseph Pease, Mr. Jackson, and Mr. Magniac, and this increase entirely changed the features of the Committee. He believed it had been held by the Prime Minister himself that if a change took place in the names of a Committee within the 24 hours, any Member had a right, during those 24 hours, to object to the Committee being taken. Under the circumstances, he begged to object to the Committee being now taken.

Mr. SPEAKER: I understand the four names mentioned by the hon. Member for Northampton (Mr. Labouchere) appear amongst the Notices of Motions for the first time to-day.

Mr. LABOUCHERE: Five names.

Mr. SPEAKER: These names have been added to the Committee since the last Sitting; therefore, if the hon. Member thinks proper to object to proceeding at this hour with these names, his objection would be good against these particular names.

Mr. SALT said, he, perhaps, ought to apologize for the names mentioned by the hon. Member for Northampton (Mr. Labouchere) not having been put on the Paper sooner. He, however, saw no reason why he should not proceed with the names with which he could proceed.

Mr. LABOUCHERE said, he would, in that case, wish to move the adjournment of the House.

Mr. SPEAKER: There is no question at this moment before the House. The first question I have to put to the House is that Mr. Salt be a Member of this Committee. If the hon. Member for Northampton (Mr. Labouchere) thinks proper, he can now move the adjournment.

Mr. LABOUCHERE said, he would move the adjournment of the debate, and he would tell the House why. About 10 days ago he put down the names of Mr. Bradlaugh and Baron de Worms to serve on two Committees—the Landed Estates Committee and the Canals Committee. The Government wished the Landed Estates Committee to go through at once, and, therefore, he did not press the two names in respect to that Committee; but he meant to do so with respect to the Committee on Canals. He wanted to raise the question whether Mr. Bradlaugh had a right to sit on that Committee. The Committee which it was now proposed to appoint consisted of 15 Members; but at the time he gave Notice of his Motion it consisted of a less number. The Speaker would observe that his (Mr. Labouchere's) Motion did not block the Committee—it was merely a second Motion—but two Gentlemen (Colonel Makins and Mr. Warton) had been good enough to block his Motion. Of course, he could counteract that by blocking the proposal to nominate the Select Committee on Canals. He had, however, no wish to do that, because he desired it to be decided whether Mr. Bradlaugh could serve on a Committee or not. Under the circumstances, he would move the adjournment of the debate. They had just had an instance of a protest on the part of many Members against controversial Business being taken at so late an hour, and he was sure those Gentlemen who voted just now in favour of reporting Progress would vote with him now.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Labouchere.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 23*rd June*, 1882.

MINUTES.]—Public Bills—*First Reading*—Lunacy Regulation Amendment * (160); Vagrancy * (161); Local Government Provisional Orders (No. 5) * (162).

Committee—Report—Local Government Provisional Orders (No. 4) * (150); Local Government Provisional Orders (No. 7) * (145); Artillery Ranges * (119); Cathedral Statutes Amendment, *now* Cathedral Statutes * (99-163).

Report—Roads Provisional Order (Edinburgh) * (78).

Third Reading—Local Government Provisional Orders (No. 3) * (122); Interments (felo de se) * (130); Local Government Provisional Orders (No. 2) * (134); Local Government Provisional Orders (No. 6) * (135); Local Government Provisional Order (No. 10) * (136); Local Government (Ireland) Provisional Orders (No. 2) * (132); Local Government (Ireland) Provisional Orders (No. 3) * (133); Land Drainage Provisional Order * (131); Customs and Inland Revenue Buildings (Ireland) * (142); Tramways Provisional Orders (No. 2) * (126), and *passed.*

EGYPT (POLITICAL AFFAIRS)—THE CONFERENCE.—QUESTION.

The Marquess of SALISBURY: I wish to ask the noble Earl the Secretary of State for Foreign Affairs a Question, of which I gave him private Notice yesterday. Owing to circumstances over which the noble Earl had no control, he was unable to be present, and I now beg to ask him, Whether Her Majesty's Government propose to take part in a Conference, to be held at Constantinople, without the consent of the Sultan; and, whether there is any precedent for such a step?

Earl GRANVILLE: My Lords, I hope the noble Marquess opposite (the Marquess of Salisbury), who was good enough to give me Notice of the first part of the Question yesterday, will acquit me of any want of courtesy on my part, or on the part of my noble Friend (the Earl of Kimberley), in not answering it yesterday. The fact was, I was attending Her Majesty at Windsor, and the Notice of the noble Marquess arrived after I left London, otherwise I should certainly have requested my noble Friend to answer the Question. With regard to it, I have now to state that the Sultan has objected to the Conference at Constantinople, but that the Governments of this country, of France and Germany, Italy and Russia, are all agreed to continue to meet at the Conference; and although Austria has not yet signified her intention to do so, in consequence of the objections of the Sultan, still I have reason to believe that she is not likely to separate herself from the other Powers. I must add, with regard to the Conference being held at Constantinople, that it is not intended as a mark or point of disrespect to the due rights of the Sultan of Turkey.

The Marquess of SALISBURY: Of course, my Lords, it is very easy to say that this Conference is not intended as a mark of any want of respect towards the due rights of the Sultan; but it is hardly possible to inflict a more flagrant affront upon the rights of the Sultan. The Sultan of Turkey was admitted by the Treaty of Paris to the Concert of Europe, and is entitled to all the marks of respect, and to the benefit of all international traditions which affect the other Signatories to the Treaty. There is no doubt that to assemble a Conference at the capital of the Sultan to deal with the subjects of that Sultan, against his will, is about as flagrant an interference with his independence as it is possible to conceive. We have the authority of the Prime Minister for saying that no difference should be made between weak Powers and strong Powers; what, therefore, is right for the weak, is right for the strong. What should we think if Musurus Pasha were to summon a Conference at London, against the wish of the Queen, to consider the present condition of Ireland? I think it is not only an indecorous and unfair proceeding to interfere with a Power which has both historical and Treaty rights to our consideration, but it is also, in the present state of circumstances, exceedingly imprudent. On what Power, or what assistance, do you depend for attaining the objects of your policy in the difficult problem that lies before you? For no one can doubt that there are problems of exceeding difficulty. You have engaged to uphold the present Viceroy; you have engaged to remove Arabi Pasha from power; you have engaged to restore the *status quo ante;* and unless you do these things, the English name will be a laughing-stock throughout the whole of the East, from Egypt to Japan; and the ridicule which you will bring down upon your country will tell with fearful effect, not only on the commercial interests of its capitalists and merchants, but on the lives of its subjects. This is the difficulty of the problem you have to deal with, and your difficulty arises from the fact that you have to meet the strong feeling of Mohammedans against the interposition of Christian Powers. So far as we can trace any meaning in this movement which has crossed our path, it is part of the great Pan-Islamic revival of which we have heard so much. If that is the case—if it is a Mohammedan against a Christian movement—you are taking the most unwise step in the world in inflicting public affront on the head of the Mohammedan religion. That will be the case supposing your European Conference goes smoothly, and if you enjoy all the moral and material resources which it will place at your disposal. But supposing there is a hitch in it, and supposing you have to take sides, and supposing that greater difficulties than you now contemplate arise, it will be the Sultan, and the Sultan alone, who can extricate you from those difficulties. My Lords, Her Majesty's Government are taking a course for which there is no precedent, which sins grievously against International Law, and which, in the grave and critical circumstances of the country, is the most imprudent course they can adopt.

EARL GRANVILLE: My Lords, the noble Marquess opposite (the Marquess of Salisbury) the other day announced that, being out of Office, no responsibility attached to him; about a week ago the noble Marquess further admitted that he thought it would be exceedingly inconvenient to discuss these matters in the present state of affairs. The noble Marquess has, however, thought fit, in that utter want of responsibility that attaches to him, but which I believe to be of the greatest possible importance, now to take this course. He first asks a Question in the simplest manner, and requests an answer from me, or from one of my noble Colleagues; and then, contrary to the doctrine the noble and learned Lord the late Lord Chancellor laid down, that you should not discuss a Question upon an answer—though I differ from him—he goes into the whole matter like this, where all the Powers of Europe are agreed, for within the time that has elapsed since my first answer I hear that Austria has agreed with the other Powers, and has entered into the Conference. He thinks it is to the advantage of the practical settlement of this question, when this Conference is being settled, and about to sit, to get up in this House and seek to damage it as much as possible, and to excite the Sultan of Turkey, against his own interests, to oppose the recommendations that may be made by the Conference. My Lords, I really will not argue the case with the noble Marquess.

STATE OF IRELAND (MUNSTER AND CONNAUGHT).

MOTION FOR AN ADDRESS.

LORD WAVENEY, in rising to move—

"That an humble Address be presented to Her Majesty for the appointment of a Royal Commission to investigate the social condition of the Provinces of Munster and Connaught, and to report thereon,"

said, in introducing the matter, it would be scarcely necessary for him to state that he did not intend in any way to interfere with the proceedings of Her Majesty's Government; and, as far as possible, he would abstain from referring to any of the political aspects of the question now before them. There were two Bills in "another place." They would soon arrive in that House, and it would be exceedingly injudicious and irregular on their part, if they were to attempt to anticipate the discussion which they would doubtless receive, or to deal with them, without first having a knowledge of the result of their passage from the other House, and the condition in which they then left it. There could be no question that the present time was a most opportune moment for doing something that would be advantageous to Ireland, and that, he thought, would be done by the appointment of a Royal Commission such as that which he now suggested to their Lordships. The condition of Ireland itself, and especially the two Provinces mentioned in the Resolution, afforded a fitting opportunity for the working of the Commission, and there could be no doubt that an investigation made on the spot would be attended with the most beneficial results. In the particular position of affairs in Ireland at the present time, beyond all question the minds of the Irish people in the Provinces were prepared for new impressions. Coming at once to the Motion on the Paper, he might inform their Lordships that the reason why he had not embraced the whole of Ireland in it was that that country was not a homogeneous whole, each of the four Provinces having a distinctive character of its own. Therefore, he had selected the two Provinces mentioned—namely, Munster and Connaught—for the reason that those two Provinces had departed less from the habitual practice in the management of our political system than either Ulster or Leinster. That result was due to reasons that were peculiar in themselves to Munster and Connaught. He desired to point out to their Lordships that the Province of Ulster had long enjoyed an exceptional advantage in her trade, and in the peace and tranquillity which had prevailed within her borders. The same also might be said of Leinster. Ulster had also a special advantage, in which she was predominant above all the other Provinces. Owing to the manner in which the colonization of Ulster had been carried out, the colonists had ever since remained in union with each other, and attached to their leaders. Hence there was not in Ulster any strife between the landlords and their tenants. The reason for this was they belonged to the same race. They belonged to the same Christian Church; and, even in those cases where they did differ, they none the less understood each other, and their differences did not give rise to any hostility. This element of prosperity had led to the investment of capital in industrial pursuits within the Province, and hence it might be regarded as one possessing exceptional advantages. When they passed into Leinster, however, they found it did not enjoy the same advantages, for there was a difference of feeling existing. There were fewer of the descendants of the people who settled in the country in the time of Elizabeth and James I.; but, nevertheless, the distribution of the soil among the Lords of the Pale had led to something like the same effect, when not interfered with by polemic and sectarian considerations. In Munster it was entirely different. That Province was, for the most part, inhabited by the descendants of those who had been driven from their original settlements in the other portions of Ireland, and hence there was an angry feeling entertained by them against those who had displaced them. The result was that there was at once a difference of feeling and of sentiment in regard of race. The tenants there held their holdings under an entirely different system. No doubt the system under which these holdings had been once held had been interfered with by the occurrence of foreign wars and the circumstances of the times; but the feeling he had referred to had existed ever since those dreadful wars, though Munster was largely peopled with the soldiers of Elizabeth. Then, again, when they went into Connaught they found once more a different state of things. They found almost unmixed the race that had inhabited the country for generations. They were the descendants of those who formerly inhabited the Province, and their feelings towards their countrymen in Leinster and Ulster was equally acrimonious as those of the people of Munster. They found a difference of race here also between landlord and tenant, and he knew how dangerous it was to mix up these. The Legislature, he thought, ought to try to discover some means of removing the discontent which existed in the South and West of Ireland, and it was most desirable that these differences, whether of country or of caste, should be entirely got rid of. The Irish difficulty, whether great or small, would have to be faced, or they would have in vain made all the enormous sacrifices they had done during the last 50 years. Undoubtedly, reasons did exist for distinguishing between Ulster and Leinster and Munster and Connaught; but his Motion on this occasion had reference to the two last-named Provinces, and, therefore, it would not be necessary for him to enter into the matter. As to the necessity of a complete and perfect change in many of the ideas now prevalent in Ireland, the present moment seemed to be a fitting opportunity for effecting a change. There was a growing conviction in men's minds that some change should be made in the whole system; that it was their duty, as it was in their power, to make the results of such a change profitable and advantageous to the country. They must warn them, however, against expecting immediate results. They should govern the Irish people in accordance with the sentiments of justice and fairness, and they should also endeavour to understand the people. Did they understand the people, and were they sure they had dealt with them in the way most acceptable to their sentiments, or best calculated to win their faithful obedience? From whatever cause, the question, at all events, would have to be answered in the negative. There might be, he felt convinced, great improvements of various descriptions introduced into the administration of Ireland, and a softening with regard to religious matters; and then they might discover that there were modes of dealing with the body politic which they had not anticipated. Let him recall to their recollections the peculiar character which obtained amongst country population, both in Munster and Connaught. It was known that the farmers in those two Provinces led a very simple existence, that they were largely influenced by tradition, and that there was a power of feeling among them which helped strongly the formation of their character; and it should not be forgotten that remaining, as perhaps they did, at home, they had a world-wide communication, and maintained a close connection with their countrymen scattered all over the world. Those communications frequently gave shape to those impulses, and it should be recollected that they had communications of a nature not only that would lead to peace and contentment in England, but also of a nature that entailed danger to the tranquillity of the Empire. Beyond these facts little was known of the inhabitants of those Provinces of Ireland to which he wished to draw attention. Nothing was more remarkable than the surprise caused, even to the best-informed people in Ireland, by the events of the last six months. For instance, with regard to the question of rent, he was certain the incident of rent was never calculated at the point at which it had now reached; and no one had ever dreamed of the number of farmers who had sought the assistance of the Land Court, and which had greatly exceeded all reasonable computation made beforehand. It would be found, he believed, that there was not so much blame for that condition of things to be attached to the proprietary as some might imagine. Had they succeeded, he would ask, after these many years, in making English rule in Ireland as acceptable as they could desire? They had not. There was some reason for the non-success, and they were bound to seek for it. That something which was required was a general feeling of contentment among the population. They knew there had been great distrust and feeling of insecurity created by the unhappy state of Ireland, and foreign capital had fled, not to return; while the domestic capital, which was sufficient for all the wants of Ireland, was not employed there. There were in Ireland, deposited in banks or embarked in business in this country, millions more of money than was required to give to that country all that was wanted. He would not attempt to forecast the results that might follow an inquiry into the social condition of Munster and Connaught. Possibly emigration might receive a new sanction. As to that question, he might say that something might be devised which should induce Her Majesty's Government to adopt a large scheme which would give relief to an overburdened land, and be productive of benefit—of the utmost benefit — to Ireland, by giving greater scope for the industry of those who remained behind. The Government and the inhabitants of this country were fully aware that difficulties were imminent, and in order to solve the problems with which they were face to face, they ought to have more information supplied to them. The Government had already sent a message of peace to a people especially sensitive to an appeal to their feelings. Let them send now through that country a Royal Commision with a true message of peace, and the best message of peace that could be given to Ireland would be the sending there of a Royal Commission, as he proposed, who, on the spot, should form their own conclusions, and judge by the feeling of the people of the best mode in which to give them that contentment which all desired. He had not, in this particular instance, considered what was the position of Her Majesty's Government. He trusted that the principle that governed his Resolution would receive the assent of the Government; but, under any circumstances, he should have regarded his own conduct as inexcusable if he had abstained from bringing this matter under the notice of their Lordships. What Ireland wanted was contentment by the appointment of a Commission, who would conduct their investigations on the ground. These could best judge what would afford that contentment greatly desired by all, and beyond that there was one thing the necessity of which he would especially dwell upon, and that was enlisting the feelings of the people on the side of Government, for the question was, whether, after so many years, they had succeeded in making their mode of government as acceptable to the people as they could desire. An equal Church, equal laws, the administration of justice by officers appointed by the Crown, had not produced that effect. They were bound, then, to seek some reason for that fact, under the penalty that, if we found it not, our last condition would be worse than the first. He would now move the Resolution that stood in his name on the Paper.

Moved, That an humble Address be presented to Her Majesty for the appointment of a Royal Commission to investigate the social condition of the Provinces of Munster and Connaught.—(*The Lord Waveney.*)

LORD CARLINGFORD (LORD PRIVY SEAL) said, he had listened with great attention to the remarks of his noble Friend (Lord Waveney), who was perfectly entitled to bring before the House a subject with which he was so well acquainted. Their Lordships, he was sure, would agree with him (Lord Carlingford), that though the Motion, at that moment, was confined to a part of Ireland only—for what reasons he could not make out—volumes might be written and volumes spoken about it. He confessed, however, that his noble Friend had treated their Lordships with forbearance and mercy, and he thought that his noble Friend, when he sat down, was entitled to say, as Clive once said of himself, that he was astonished at his own moderation. But, for his own part, he (Lord Carlingford) was not prepared, on the spur of the moment, to discuss the social condition of those two Provinces of Ireland. The practical question for the House and for his noble Friend was, whether anything would be gained as regarded the end he had in view—namely, the improvement of the social condition of Ireland by the appointment of a Royal Commission; and with regard to that point, it struck him (Lord Carlingford) that they did not suffer from want of knowledge. What, he thought, they suffered from, was from the great difficulty of dealing with one of the hardest, the most complex, and the most dangerous political problems that any nation, and especially a nation with a popular Government, had to deal with within its own borders; and he most certainly did not think they suffered from any want of knowledge upon the subject. As for sending that Commission through the length and breadth of Ireland, he could not conceive what its effect would be upon the minds of the people, except it would be to make every man in the country believe that the Government intended to make him and his family comfortable for the rest of their days. They had recently had two inquiries with respect to that most important matter—the agrarian relations of the country—and, however opinions might differ among their Lordships, they were all, in various degrees, responsible for the legislation which had been the result. He differed, he feared, from the majority of their Lordships in looking hopefully to the effects which improved tenure would work in time. He believed it would work infinite good in Ireland, and not for the tenant class alone. But no such legislation would do good until they could restore peace and confidence to that country. That was the immediate task of the Government, a task in which, with the assistance of Parliament, he hoped they would succeed. When they should obtain the happy result of a restoration of peace and confidence in Ireland, he hoped and believed that the legislation of various kinds which had been effected for many years past would bear its fruits; and Parliament, he was sure, would then be prepared to pass further measures for the improvement of the country. He did not know what his noble Friend meant by calling the legislative measures that had been passed for Ireland sacrifices. Did he call the Catholic Emancipation Act a sacrifice, or the other measures passed for the relief of Irish grievances sacrifices? He would ask his noble Friend if, for the object he had in view, he thought anything would be gained by such a roving Commission as he had proposed, even if it were possible—as it was not—for the Government to assent to the Motion?

LORD BRABOURNE said, his noble Friend (Lord Waveney) had spoken of his proposal as a message of peace. But Ireland had had many messages of peace from Her Majesty's Government, and they had not been so successful as to encourage them to send another. Her Majesty's Government, by their legislation in 1880, had created a social revolution in Ireland; the ordinary conditions of life in that country had been destroyed, inquiry was superfluous, and all Parliament had to do was to try to re-construct something out of the ruins. When Her Majesty's Government came into Office, they were told, on the highest authority—that of the Prime Minister—that Ireland was in a satisfactory condition. He (Lord Brabourne) was aware that it had been explained that this statement was merely a confidential communication to the Election Committee of the right hon. Gentleman at the head of the Government; but he could not for a moment believe that the right hon. Gentleman had one statement for his Committee and another for the public. Therefore, he would assume it to have been true. What, then, had the Government found? There were three classes in Ireland—the loyal, the disloyal, and those who were wavering between the two. What the legislation of 1880 had done was to strike a ruinous blow at the most loyal part of the population. Then, through the vacillation of Her Majesty's Government, the disloyal had been encouraged, and the tendency of their conduct had been to convert those who were wavering into disloyalty. It was at the class that was most faithful to the Union between the two countries that Her Majesty's Government had struck the blow. Because the landlords of Ireland happened to be the possessors of a kind of property which competition rendered valuable, they had been deprived of that fair competition in open market which every other owner of property enjoyed, and by which alone the real value of their property could be obtained. Moreover, the Government had attempted the impossible plan of making the same property belong to two persons whose interests were, of necessity, conflicting, a plan which could only produce mischief and confusion. They had thrown overboard all the principles of political economy, and had placed the landlords of Ireland in a position which they would have deserved if they were precisely the opposite of what they were. Every principle upon which property had ever been held in England or any other country had been reversed in Ireland, and then it was pointed out that the condition of that country was not exactly what could be desired. The noble Lord the Lord Privy Seal could not assent to the appointment of the proposed Commission, because he said if the Government were to do so every man in Ireland would believe he was going to be made happy and comfortable for ever. Was not that exactly the line that had been taken by Her Majesty's Government? They had given rise to false hopes; the people were led to expect something they could not possibly obtain. Having done that, Her Majesty's Government were wise now in not consenting to a Commission which might serve to excite similar expectations. When Questions were asked and Motions were made with respect to the social condition of Ireland, he (Lord Brabourne) could not help saying that the state of the country had been made worse by the action of Her Majesty's Government. And yet anyone who objected to the policy of the Government was always told that the case of Ireland was wholly exceptional. Now, he did not believe that any country in the world was ever in so exceptional a position as to justify a complete departure from all principles of sound legislation, of justice, and of honest dealing with every class; and it was because the Government had done that the existing state of things in Ireland was so bad and its future so dark that no light would be thrown upon it until the Government abandoned delusive messages of peace and displayed a determination to uphold the law.

Lord WAVENEY, in reply, said, that the sacrifices he had alluded to were sacrifices in the sense of order. He maintained that a roving Commission, such as he had advocated, although it must, of necessity, be a roving one, yet it need not be vague in the slightest degree, and it would be the means of gaining much knowledge at a time when every particle of information as to Irish affairs was especially valuable. He would not, however, persist in the Motion.

Motion (by leave of the House) *withdrawn.*

THE ROYAL IRISH CONSTABULARY—THE VOTE OF COMPENSATION—THE OFFICERS.

QUESTION. OBSERVATIONS.

Viscount MIDLETON, in rising to ask the Lord Privy Seal, Whether Her Majesty's Government are now prepared to state their intentions with regard to the officers of the Royal Irish Constabulary? said, that the House would remember the proposal, made when the Budget was introduced, to grant a sum of money to the men of the Force, as some compensation for the increased expense and responsibility that had been entailed upon them during the past year by the disturbances that had taken place in the country. That expense and responsibility had unquestionably been shared, and more than shared, with the men by the officers, who, however, were to receive no part of the intended grant. Three weeks ago he had asked a Question on the subject, and had been told that the matter was "under consideration." Well, the matter had been now under consideration for three months; and, therefore, not to take the noble Lord by surprise, he (Viscount Midleton) had given him a week's Notice of his intention to repeat the Question in their Lordships' House. He did not know anything more discouraging than to be told that a matter was under the consideration of the Government, except one thing, and that was—that it had been referred to the Law Officers of the Crown in Ireland; and had he been told that, he should have at once concluded that it was postponed to the Greek Kalends. The noble Lord who answered the Question had doubted, at the time, the accuracy of the figures he (Viscount Midleton) had then given as to promotion in the Constabulary; but since then communications had reached him from officers of the Force in various parts of Ireland on the subject, from which it appeared that there was abundant evidence cf their correctness, and of the disappointment that was very generally felt. As they were aware, both the officers and the men were a most meritorious body of public servants, and it was very hard that an unnecessary grievance should be inflicted upon them by the delay that had occurred, especially as they were not permitted to complain in the newspapers; and he did trust that the answer that would be given on the present occasion would state not only that the matter was receiving careful consideration from the Government, but also that some definite steps were to be taken at an early date to relieve the anxiety with which the officers of the Constabulary very justifiably regarded their future prospects.

Lord DUNSANY said, he rose to support the appeal of his noble Friend (Viscount Midleton), and to impress upon the Government, from a personal knowledge of the Irish Constabulary, that officers and men alike were always loyal and energetic, and ready to do their duty. The members of the Force had been unswervingly true to their allegiance, although they had been exposed to greater temptation than a military body had ever before experienced, having become obnoxious to the people among whom they moved on account of that very loyalty. Further than that, the performance of their duties had been rendered still more arduous by the changing policy of the Government. Indeed, the country had become so much demoralized, that, probably, for the first time in history, a Christian Bishop had made a statement which was tatamount to an avowal of Socialistic principles. It had been a slur on the intelligence of the Force to know that about 1,000 persons had been imprisoned as "suspects," and had been suddenly released during the extraordinary events following the Kilmainham compact, suggesting that it must have been wrong either to imprison them or to release them. If the country obtained Home Rule—as a recent speech of the Prime Minister implied it might

—one of the first things that would probably be done would be to get rid of this body of men, who, up to this time, had behaved so well. He should be glad to hear that it was intended to do justice to the officers as well as to the men, and hoped that the reply of the noble Lord the Lord Privy Seal would be such as to satisfy them on the point.

Lord CARLINGFORD (Lord Privy Seal) said, he could assure both noble Lords that the matter had not been in any sense shelved or postponed by the Government. They were quite as well aware as others of the high merits of the Force and of its officers. The matter did not belong to his Department, and, therefore, he was not personally responsible for the progress of the necessary communication between two Departments of the Government; but he was informed that the Lord Lieutenant had given the matter a most thorough examination; that the Irish Government had made a definite proposal for the settlement of the matter, and that it was at this time before the Treasury. That being the state of the case, he could state that a decision would probably be arrived at in a few days.

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

QUESTION. OBSERVATIONS.

The Earl of SANDWICH asked Her Majesty's Government, What were their intentions with regard to this Bill? He was sorry to find that the measure in question had not been mentioned in the other House when a statement was made by the Prime Minister with respect to pressing Business. The measure came before their Lordships' House some two or three years ago, and, although the danger occasioned by flooding had been acknowledged on all sides, nothing had yet been done. That danger was constantly increasing, and if there should be a general sudden flooding, it might be years before the damage would be remedied. The longer legislation was postponed, the more did the country suffer, and the greater became the evil calling for a remedy.

Lord CARRINGTON, in reply, said, he was instructed to inform the noble Earl that the question was one which was considered of the greatest importance by the Government, and it had not been shelved or postponed in the slightest degree. They were well aware of the importance of the measure in many parts of England, and especially to the county in which the noble Earl was interested. In spite of the temporary collapse of Business in "another place," he was instructed to say that the Government were not without hope that the Bill might be passed into law this Session.

EGYPT—EXODUS OF BRITISH SUBJECTS.

QUESTION. OBSERVATIONS.

The Earl of FIFE rose to call the attention of Her Majesty's Government to the statement circulated all over Europe, by Reuter's Agency, that the British Consul in Egypt advises all British subjects to leave the country; and to ask Her Majesty's Government, Whether they consider this Consular action consistent with their intention, expressed in both Houses of Parliament, to maintain the status quo ante in that country? The noble Earl said that, in rising to ask the Question which he had placed on the Paper, he hoped it was not necessary for him to disclaim any intention whatever of embarrassing Her Majesty's Government by putting an inopportune Question, nor did he wish to raise what was described the other evening by the noble Earl the Secretary of State for Foreign Affairs (Earl Granville) as a piecemeal discussion of the Egyptian Question. He simply wished to call attention—and he should do so very shortly indeed—to the action of our Consul in Egypt, which had caused, and was causing daily, a feeling of considerable alarm for the lives and fortunes of a great number of the British residents in Egypt. As their Lordships were well aware, the institution in Egypt which really concerned Europeans the most was the Board of Control. It had been the chief instrument in the remarkable development which had been going on for the last few years in Egypt, and it was obvious that, if it were to be of any use, it must remain in European hands. It was also equally obvious that, without it, the country must lapse into that state of anarchy which Her Majesty's Government had distinctly said they did not intend to allow to prevail. Besides the Board of Control, there had been established in Egypt, by international arrangements, European administrations for the Daira Lands, the State Domains, the railways, ports, and waterworks; and besides those, still further various and numerous private companies and industrial undertakings had also sprung up, in connection with which large numbers of Europeans were necessarily employed, and which, to use the words employed by the Khedive himself a few days ago, had contributed immensely towards the prosperity and development of the country. All those who were interested in the future prosperity of Egypt, or who had friends or relations out there, had heard, with considerable satisfaction, the speech made a week ago in the other House of Parliament by the Prime Minister, in which he said that—

> "All established rights in Egypt would be maintained, whether they were those of the Sultan, of the Khedive, of the people, or of the foreign bondholders,"

and that the policy by which the Government would be directed was that of—

> "The maintenance of all established rights, and the provision of due guarantees for those rights."

What he (the Earl of Fife) was most anxious to point out—and that only in a few words—was, that no guarantee for those rights was possible without the presence in Egypt of the European administrators and *employés*—a great many of them British subjects—whom our Consul was stated to have advised to leave the country. Now, had they been advised simply to leave certain disturbed districts, and to go to some locality where they would be under shelter of British guns, in order to prevent the possibility of a massacre, that course would have been perfectly comprehensible; but, instead of that, a permanent exodus—and he used the word "permanent" advisedly, having received private information to that effect—had been steadily going on in Egypt under the advice and encouragement of the British authorities. Indeed, he thought he might say that matters had reached a climax, when it was found that the British Consular Surgeon in Egypt was actually telegraphing to the Lord Mayor of London, and asking him to promote a subscription in favour of the—

> "Thousands and thousands of poor Christian families fleeing from Egypt, leaving all, utterly destitute."

Could such a movement, which was nothing short of an appalling calamity to many of our fellow-countrymen, be really necessary when, if we were to believe the explicit statements of Her Majesty's Government, confirmed as they were only yesterday by the speech of M. de Freycinet in the French Chamber—and he certainly believed them—all those institutions in Egypt which he had mentioned and all established rights in Egypt were to be maintained, and when those thousands of Europeans, whom he might truly call the agents of a beneficent European civilization, who were leaving the country in such numbers under the advice of our Consuls, would be as necessary in the future as they had been in the past? Was it contemplated that, after the holding of the Conference, which, of course, was to arrange everything amicably and satisfactorily, those poor people, who had been deprived of everything they possessed, or who had sold for a trifle, or had been obliged to abandon all the property they had in the world, were to return shortly as beggars to be reinstated in their plundered homes, or were they to be succeeded by others, who would eventually share the same fate? If it were a question of a war, or of a prolonged siege, the result of which might be doubtful, one could perfectly understand humane considerations being allowed to prevail, in order to save bloodshed; but there was no such doubt, because it had been stated most explicitly the other day, by the hon. Baronet the Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke), in the other House, that under no consideration would anarchy be allowed to prevail in Egypt. This twofold aspect of the Egyptian Question, however, was one that did not appear to be re-assuring. Confidence in London was not consoling to those who had friends and interests in Egypt, if it was only to be translated into "Panic in Egypt." It was not only that there were thousands of these unfortunate refugees crowding the ports of Malta and Cyprus; but we were told that the English Consul General in Egypt actually required the British engineers and workmen the other day to leave their post, even at the risk of a water famine at Alexandria. Since putting the Question on the Notice Paper, he had noticed, among the innumerable telegrams which were appearing every day, one stating that some provision had been made for some of these unfortunate people by the placing of the Lazaretto, at Malta, at their disposal. Although that came somewhat late in the day, it was, no doubt, some slight alleviation to the alarming distress; but it was an alleviation which could only extend to the very lowest classes; and as to the commercial and industrial classes, it was perfectly evident that no precautions that Consuls could take for the protection of their property could be effectual when the owners had left the country. He had purposely refrained from adding a single word which might lead, in the present phase of the question, to a discussion of the political situation; he merely wished to draw attention to that particular point, and should be glad if he could elicit from Her Majesty's Government any assurance of a nature to arrest the present disastrous exodus from Egypt—an exodus which was now producing lamentable hardships, and must, in the future, arrest the progress of a country indissolubly bound up with the closest interests of our Indian Empire. The noble Earl concluded by asking the Question of which he had given Notice.

EARL GRANVILLE: My Lords, I can assure my noble Friend (the Earl of Fife) that I have not the slightest disposition to complain, either of his interest in putting this Question, or of his anxious desire to have the information he has asked for, and still less do I complain of the tone of his speech as regards Her Majesty's Government; and I am sensible of his desire to avoid embarrassing them in one of the most difficult and complicated situations that I ever remember. With regard to one central point, he referred to the declaration of my right hon. Friend the Prime Minister in "another place." I can only say that the Government are unanimous in adhering to that declaration. With regard to the more especial case of complaint the noble Earl has made, that this exodus from Egypt has taken place under the pressure and advice of Her Majesty's Consul, all I can say is, that I really believe that that statement is entirely without foundation. We have no information in that sense of any sort or kind; on the contrary, the information we possess is exactly in the opposite direction. I think I may, perhaps, persuade the noble Earl of that by reading a few extracts which I have here. I find that on June 15th, Sir Edward Malet telegraphed from Alexandria, saying—

> "There is now a panic in Cairo, and European *employés* are coming away in large numbers. There does not seem to be any valid cause for the panic beyond general feeling of distrust, which has seized all Europeans."

On the 16th instant he telegraphed—

> "The Eastern Telegraph Company's clerks have been to me this morning to say they are in fear of their lives, and that they must go on board ship. I have done my best to tranquillize them. Four thousand persons arrived yesterday from Cairo. Mr. Beaman, whom I left in charge of archives, writes that officers say that strictest orders have been given, and that there is no danger to the lives of Europeans."

I may also point out that the instructions left by Sir Edward Malet to the Vice Consul Borg at Cairo—for the Consul General was instructed to go with the Khedive wherever he went—were to exactly the same effect—

> "Acting under instructions from Lord Granville, I leave to-day for Alexandria. You will remain here in a position of much responsibility; but I have confidence in your calmness of judgment to take the best measures which may be open to you to promote the safety of British subjects who remain in Cairo. In case of imminent danger, I authorize you, in necessary cases, to provide the expense of the removal of families who cannot afford to pay for themselves at present. I should recommend Ismailia or Suez as points of embarkation, rather than Alexandria, which is already overcrowded with refugees."

The noble Earl will see that this which has been done is perfectly different, and apart from any question of encouraging the exodus or alarming the people. From my knowledge of Sir Edward Malet, I am sure that he has shown the greatest courage and calmness in this matter; and I know that every effort made by him, in common with all other European residents in a responsible position, have been made entirely in the direction of tranquillizing the European residents. The noble Earl has referred to the alms which have been applied for. That, however, is a very natural thing. Here are people, under a reasonable and natural panic, flying away in a state of great destitution, and to provide for them in some way is perfectly different from any general encouragement being given them to leave as alleged in the Question.

Lord HOUGHTON said, that he was in Egypt for some time last year, and, from what he saw and heard while there, he could strongly confirm the impressions of the noble Earl (the Earl of Fife) as to the state of the country at that time. But for this accidental movement, whether excited by personal ambition or what was called national feeling, there never would have been any disturbance. From all the evidence they had, the people of Egypt were, he believed, as strongly convinced of the utility of the European Control as the noble Earl himself had been. He was also happy to be able to confirm from personal communications what had been said by the noble Earl the Secretary of State for Foreign Affairs (Earl Granville)—that no encouragement whatever had been given by the Queen's official authorities to this unfortunate exodus. On the contrary, he knew from communications received from one of his own connections who had remained bravely at his post and would remain till the last, as well as from the noble Earl the Secretary of State, that everything which had been done by those who were in any degree connected with England had been good—they had done all they could to quell the tumult in the country and to tranquillize the minds of the European residents, even after the horrible tumult which occurred at Alexandria, by which so much loss of life was caused. The noble Earl (the Earl of Fife) had referred to the terrible condition of the people of Egypt, and he had not in the least degree exaggerated the state of affairs. At the present time they were in a state of social confusion and political difficulty, such as rarely occurred even in those countries where there were complications between Europeans and Orientals; and the problem to be solved was one of the most difficult that had been known during the history of the world.

The Marquess of SALISBURY: My Lords, I would just remark that Sir Edward Malet must certainly have indulged in an exceedingly sanguine and optimistic view of affairs when he telegraphed to the noble Earl opposite (Earl Granville) that there was no valid reason for distrust on the part of those in Cairo and Alexandria. I think the noble Earl himself took a sounder view of the subject in saying that they were actuated by a reasonable and natural panic. The observations made by the noble Lord who has just sat down (Lord Houghton) were very interesting and valuable as being made from personal knowledge, and, so far as I can hear, all those who have given information in this country on the state of Egypt combine in their testimony as to the admirable success of the efforts of the distinguished men who were Controllers in Egypt, and as to the benefit to that country from English industry which has resulted from that system, and also as to the terrible destruction of English interests and of the future of English investments and property in Egypt as a consequence of the terrible events of the last week. It is very natural that the noble Earl opposite (the Earl of Fife) should long to know how the Government propose to restore the *status quo ante*. It is a problem to all of us. It is very easy to prevent a valuable work of art from tumbling down; but it is not very easy to put it together again when it has fallen and been smashed. All we have to do is to note the promises which the Government give as time goes on, and to note the manner in which they are fulfilled. There are only two promises to which, in passing, I will just call attention, for I do not quite understand how they are both to be fulfilled. Tremendous injury has been inflicted upon English industries by the disturbances in Egypt. We are told that reparation for that injury will be exacted. At the same time, we are told that the interests of the English bondholders will be carefully protected. These are both admirable objects, and I earnestly trust they may both be fulfilled; but I fear that they are destructive one of the other, because the only resources out of which reparation can be found for the injuries inflicted upon English subjects must be drawn from the interest which is due to the English bondholders.

LUNACY REGULATION AMENDMENT BILL [H.L.]

A Bill for amending the Lunacy Regulation Acts—Was *presented* by The Lord Chancellor; read 1ª. (No. 160.)

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 23rd *June*, 1882.

The House met at Two of the clock.

MINUTES.]—PUBLIC BILLS—*First Reading*—Public Health (Fruit-Pickers' Lodgings) * [214].

Committee—Prevention of Crime (Ireland) [157] —R.P. [*Eighteenth Night*].

QUESTIONS.

CRIME AND OUTRAGE (IRELAND) — EXTRA POLICE AT MURROE, COUNTY LIMERICK.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any outrages have been committed in the parish of Murroe, county of Limerick, within the past four months; if not, why a number of special police have been sent to that district; and, who will have to pay the cost of those extra police?

MR. TREVELYAN: In consequence of information in the possession of the police, and which had been communicated to the Lord Lieutenant, the extra men were placed in the Murroe district to prevent intimidation. The county of Limerick has been proclaimed under Section 13 of 6 *Will.* IV., and an extra police force sent there, and one moiety of the expense of such extra force is payable by the county.

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND) — NATIONAL TEACHERS AND THE ROYAL UNIVERSITY EXAMINATION.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that National Teachers who attended the Matriculation Examination of the Royal University were curtailed of salary for the days they were so occupied; and, whether the Commissioners have on previous occasions invariably deducted salary when teachers attended University Examinations; and, if not, whether the change of rule was adopted at a regular Board meeting, and formally approved of by the Lord Lieutenant?

MR. TREVELYAN: It is the case that the salaries of the National Teachers who attended the Matriculation Examination of the Royal University were curtailed for the days they were absent from their duties. This has been the rule and practice of the Board, and, so far as can be ascertained, was relaxed on one occasion only, when the teacher's vacation was curtailed by the number of days he had been absent.

THE ROYAL IRISH CONSTABULARY—EXTRA PAY — EX-CONSTABLE WALSH.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can now state if Sub-constable Walsh, who was not paid off until after the date of Colonel Hillier's circular, will participate in the extra grant to the constabulary; and, if not, whether such refusal on the part of the Government would not be a contradiction of the terms of the circular?

MR. TREVELYAN: I must refer the hon. Member to the answer which I gave him to his previous Question on this case on the 15th instant. The Circular grants the advantages to men who were in the Force up to the 24th of April; whereas Sub-Constable Walsh was discharged on the 13th of February and paid up to that date.

ARMY—STAFF OF THE ROYAL ARTILLERY.

MR. MOORE asked the Secretary of State for War, If he would explain why a Colonel on the Staff of the Royal Artillery should not hold the appointment for the term of five years, as laid down in paragraph 145, Royal Warrant 1881; why does one Colonel of Royal Artillery, promoted only five days before another, continue his command for the full term of five years, when the other, promoted on 1st October 1877, is removed before completing five years' command, both officers having entered the service under exactly similar conditions; and, why are the following advantages given to those Colonels R.A. promoted before 1st October 1877:—An option of retiring before a certain date, with an increased pension of £50 a year, and the chance of employment if they remained at the end of a five years' command; and also an advantage of two years in age before being compulsorily retired?

MR. CHILDERS: I could not answer my hon. Friend in minute detail without wearying the House. But the general answer is that after the Report of Lord Penzance's Commission the Warrant issued by Lord Cranbrook in 1877 drew a line between colonels or lieutenant colonels of Artillery then serving, and those who might thereafter be promoted to those ranks, preserving certain supposed vested interests of the former. We have not departed from this principle in the Warrant of 1881, following the extremely careful Report of Lord Morley's Committee, in which the reason for all the changes is fully given. I must refer my hon. Friend to the two Reports, which he will doubtless peruse with much interest.

NAVY—ESTABLISHED WORKMEN AT PEMBROKE DOCKYARD.

Mr. H. ALLEN asked the Secretary to the Admiralty, Whether, considering that about six hundred additional workmen have been entered at Pembroke Dock during the last fourteen months, and that the proportion of established men there is now considerably below that of other dockyards, he will cause an increased proportion of men to be placed on the establishment in that yard?

Mr. CAMPBELL-BANNERMAN: It is true that a large additional number of workmen have recently been entered at Pembroke, and that thus the proportion of non-established to established men is greater than it was when the establishment was fixed in 1876. The establishment numbers, however, are based upon what is considered the normal or usual strength of the Yard, and have no reference to temporary increases of hired men, and there is no intention to alter the establishment. I may add that normally Pembroke has a greater proportion of established men to hired men than the other Yards.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARRESTS IN COUNTY SLIGO.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Irish Executive have yet examined the facts relating to the arrest last week of Mr. Patrick Kelly, of Geevagh, county Sligo, on a warrant of the Lord Lieutenant, dated and issued thirteen months previously, and whether the Executive mean to detain Mr. Kelly in custody; and, whether it is the fact that Mr. William Murphy, of Bonada, near Tubbercurry, county Sligo, arrested about six months since, Mr. Patrick Nangle, of Geevagh, county Sligo, and Mr. James M'Donogh, of Geevagh, county Sligo, arrested in February last, are still detained in prison under the Irish Coercion Act; and whether there is any reason to lead the Executive to hold them in custody any longer?

Mr. TREVELYAN: His Excellency has inquired into the facts of Patrick Kelly's case, and finds that he cannot at present order his release. The facts are as stated in the Question. Messrs. Murphy, Nangle, and M'Donogh are still in custody. His Excellency had their cases recently under consideration, and decided that he could not order their release at present.

Mr. SEXTON asked if the warrant under which they were arrested charged them with having been suspected of being associated in crime?

Mr. TREVELYAN asked the hon. Member to give Notice of the Question.

Mr. SEXTON gave Notice that on going into Committee of Supply on the Vote on Account for the Public Service in Ireland he would call attention to the delay in the release of persons who were not suspected of being associated in crime.

ELEMENTARY EDUCATION — THE WITNEY SCHOOL ATTENDANCE COMMITTEE — CASE OF LOUISA BUTLER, OF RAMSDEN, OXON.

Mr. E. W. HARCOURT asked the Vice President of the Council, Whether his attention has been called to the case of Louisa Butler, a pupil in the Elementary School at Ramsden in Oxfordshire; whether, having regard to the decision of the School Attendance Committee at Witney that James Butler of Ramsden, in consequence of the fact that his earnings are very much in excess of those of an ordinary agricultural labourer, has no claim to have his children educated in the National School on the same terms as labourers' children; and, moreover, as the magistrates have several times confirmed this decision, the Education Department will withdraw their order that the child shall be admitted at the lower fee; and, whether, in spite of the decision of the local authorities, who have given much consideration to the case, the threatened withdrawal of the grant by the Education Department will be carried out if the child in question is not admitted to the school on the lowest terms?

MR. MUNDELLA: Two children of James Butler, of Ramsden, were admitted to the Ramsden National School, the only efficient school in the parish, at the ordinary fee of 3*d.* per week. Because the parent objected to his children cleaning out the school, out of school hours, the fees were doubled, and the children were repeatedly refused admission unless they brought double fees, or consented to clean the school. The parent has been twice summoned for neglecting to send his children to school; in the first instance the magistrates dismissed the case, and in the second adjudged him to send the children to school and pay the 6*d.* fee. The Education Department holds that the children cannot be compelled to do other than educational work out of school hours, and that the doubling of the fees as a penalty for not cleaning the school cannot be admitted. We have, therefore, decided that these children were wrongfully dismissed, and must be readmitted at the original fee. It must be remembered that there are thousands of parishes in which, as in this case, there is only one efficient school, at which all children resident in the district have the right to attend, and unless the schools are open to all on just and reasonable conditions, compulsion becomes impossible. The only effect of persistence in such requirements as were made in this case would be to bring a school board on the district.

MR. E. W. HARCOURT gave Notice next week he would put his Question in a somewhat different form.

EGYPT—THE POLITICAL CRISIS—THE RIOTS AT ALEXANDRIA.

MR. M'COAN asked the Under Secretary of State for Foreign Affairs, What provision or guarantee at present exists in Egypt for carrying on the control and for insuring the punctual service of the public debt?

SIR CHARLES W. DILKE: As regards legality, the same provision or guarantee exists now as hitherto. As regards the temporary position of fact, the view of the Controllers is that their presence at the meetings of the Council would give strength to the Military party, by seeming to sanction their pretensions, and would lower the influence of the Control. For this reason, the Controllers will abstain from presenting themselves at Council.

MR. GIBSON asked the Under Secretary of State for Foreign Affairs, What was the date of the communication which apprised the Foreign Office that fifty European lives had been lost in the riots at Alexandria; has the attention of the Government been directed to subsequent reports which appeared in all the London newspapers, stating that very many more lives had been taken; and, has the Government ever asked for further information, or made any inquiry, as to the truth of the said reports?

MR. CHAPLIN: Is the hon. Baronet able to state to the House the number of Europeans who are known to have been murdered, up to the present time, in the recent massacre at Alexandria; and, if not, will he take steps forthwith to procure that information, and submit it to Parliament?

SIR CHARLES W. DILKE: In reply to the Question of the right hon. and learned Gentleman (Mr. Gibson), the date was the 12th of June. I have seen newspaper reports giving 50, 60, 100, 200, and 300 as the number of persons killed, but not specifically stating that more than 50 Europeans were killed. I stated yesterday a fact which may account for varying estimations of the number of Europeans killed—namely, that there are in Alexandria a vast number of persons who are Greeks by race, Christians by religion, Greek in tongue and in dress, but who are not Greek subjects, coming, as they do, from the Turkish Islands and the Turkish Coast of Asia Minor, and who may have been counted as Europeans in some lists of killed. Holding, as we do, as little communication as possible with the officers of the present Egyptian Ministry, we have not received their official list of Europeans killed. We have confined ourselves to asking for the most detailed information as to the British subjects killed, for whose death reparation will have to be made to this country. Six English-born British subjects and two Maltese British subjects have been reported to us as killed; and if any other British lives were known to have been lost the Consuls would, no doubt, have reported the deaths in conformity with the instructions addressed to them. The important question is not that of the total number of European lives lost — deplorable though that loss of life is—but that of the reparation to be exacted for the injuries to the British Consul and British subjects.

Mr. GIBSON: Has no inquiry been made of the Egyptian Government as to how many lives were lost, or was the hon. Baronet content with the first report? If he has remained satisfied with that up to the present time, will he now seek some fuller information?

Sir CHARLES W. DILKE: No, Sir; we considered it our duty to ascertain the exact facts as to the number of British subjects who were killed. We do not think it our duty to worry our Consuls at a time when they have a very great deal to do to ascertain the exact figures as to the number of Europeans who were killed. The number of 50 was arrived at by an examination of the persons who were visited at the various hospitals. All the Europeans who were wounded are supposed to have been carried to the hospitals, which were all visited and searched.

Mr. CHAPLIN: Do I understand the Government to say that they do not think it desirable to take any further steps to obtain accurate information as to the number of Europeans massacred in Alexandria; or will the Government take steps to procure that information, and submit it to Parliament forthwith?

Sir CHARLES W. DILKE: I have stated the reason why there is great difficulty in arriving at the exact figures of the total number of Europeans who were killed, and I said that the great interest of this country is to know the number of the English subjects who were killed. I think it is very possible that the Italian and other Foreign Governments have made similar inquiries as to their subjects.

Mr. CHAPLIN: Then we are, I suppose, to understand that the Government decline to take any further steps to procure information as to the number of Europeans killed?

Mr. BOURKE: Perhaps the hon. Baronet will inform us whether the British Consul, in reporting on the number of killed, has said anything about the difficulty of identifying the bodies of British subjects owing to the mutilation which has taken place?

Sir Charles W. Dilke

Sir CHARLES W. DILKE: He has stated that there has been a difficulty in identifying bodies; but has not spoken of that difficulty in connection with the identification of British subjects.

Sir GEORGE CAMPBELL: Perhaps the Under Secretary will state whether there is any British Representative on the Commission of Inquiry into these lamentable occurrences?

Sir CHARLES W. DILKE: My right hon. Friend opposite has given me private Notice of a Question on that point, which I am unable to answer today; but I hope to be in a position to make a statement on the subject on Monday.

Sir WALTER B. BARTTELOT asked whether it was true, as reported in *The Times* to-day, that some Egyptian soldiers picked out to do duty at Alexandria, and to protect life and property, were mainly instrumental in the destruction of life, and that that was shown to have been the case by the bayonet wounds on the bodies of the killed?

Sir CHARLES W. DILKE: I have declined to answer Questions put without Notice; but I may say that I have, I believe, on two occasions—and certainly on one occasion—already stated in this House that, according to our information, the conduct of the Egyptian troops was good. We have no information confirming the statement of the hon. and gallant Baronet.

Sir WALTER B. BARTTELOT: I do not mean the Egyptian troops, but the troops appointed to act as police.

Sir CHARLES W. DILKE: We have at present no information confirming the statement.

Mr. G. W. ELLIOT: I wish to ask the Under Secretary of State for Foreign Affairs, If there are any matters in difference as to the administration of affairs in Egypt between that country and England; and, if not, why is the squadron in Egyptian waters, considering it has not succeeded in protecting life and property; and, since the new Egyptian Government has not been recognised by England, with whom will official communication be carried on in that country? I should also like to ask if the Conference sat yesterday; and, if not, is it a correct statement that Austria, Italy, and Germany have withdrawn, and that Austria took the initiative? I have not given Notice of the last portion of these Questions; but, if the hon. Baronet desires, I will do so.

SIR CHARLES W. DILKE: That is an entirely different Question from what appears on the Paper; and it would be very undesirable I should answer it now. The hon. Member will, perhaps, recollect that I have already stated, in reply to the hon. Member for Wicklow County (Mr. M'Coan), the position at present occupied by the British and French Controllers in Egypt. In the present state of affairs it would not be possible to withdraw the Squadrons from Alexandria. I stated yesterday, in reply to my hon. Friend the Member for Newcastle (Mr. J. Cowen), the conditions under which communications with the Egyptian Ministry must be conducted. Her Majesty's Agency continues to be in frequent and direct communication with His Highness the Khedive.

MR. CHAPLIN asked the Under Secretary of State for Foreign Affairs, What Government Her Majesty's Ministers recognise as the Government of Egypt at the present time, and who are the Ministers who compose it; and, whether Her Majesty's Government, apart from the protection given or supposed to be given by the Government of Egypt, and apart from the protection given by Her Majesty's Fleet, have taken any other measures to protect the lives and property of Her Majesty's subjects in Egypt and in Alexandria; and, if so, will the Government say distinctly what those measures are?

SIR CHARLES W. DILKE: As I have just stated, Her Majesty's Agency are in frequent and direct communication with the Khedive. We do not recognize the new Egyptian Ministry. Her Majesty's Government are unable, as I stated on Friday last, to give direct protection to any British subjects in the interior of Egypt, a fact which does not diminish the responsibility of the *de facto* authorities for their safety. The question as to the protection of British subjects at Alexandria is completely covered by the instructions sent by the Admiralty, to which I have several times referred. The communication of those instructions to the House will, of course, rest with the Admiralty.

MR. CHAPLIN: I beg leave to give Notice that on Monday next, on going into Committee of Supply, I shall call the attention of the House to the Ministerial replies with regard to measures of protection for the Queen's subjects in Egypt; and move—

> "That this House regards with anxiety and alarm the position of the subjects of Her Majesty now residents in Egypt, and the persistent refusal of the Government to give any satisfactory assurances as to the measures which have been taken to protect them; and it urges upon the Government the duty and imperative necessity of taking prompt and decisive steps for the protection of their property and lives."

MR. ASHMEAD-BARTLETT: With respect to what fell from the hon. Baronet to the effect that Her Majesty's Agents are in direct communication with the Khedive, I wish to ask whether it is a fact that the Khedive issued formal letters of administration to the new Ministry, and declared that communications could only be made through the Foreign Minister?

SIR CHARLES W. DILKE: I can only repeat that Her Majesty's Government are in direct and frequent communication with the Khedive. They communicated with the Khedive in the past, and they continue to do so, only with greater frequency.

MR. ASHMEAD-BARTLETT: Official communications?

SIR CHARLES W. DILKE: Yes; official communications.

SIR STAFFORD NORTHCOTE: I beg, Sir, to ask the First Lord of the Treasury, Whether it is true that the Porte is still protesting against the Conference; and, if so, whether it is still proposed to hold it; from whom it is intended to demand reparation for the British losses of life and property in Alexandria; and, on whom we rely for the maintenance of peace and order there? I desire to ask, at the same time, whether the Circular or Memorandum, which is reported in the newspapers to have been sent forth by the Porte, is known to Her Majesty's Government to protest against the Conference; and, also, whether the Government can inform us whether the Conference was unable to meet yesterday in consequence of objection, or unreadiness, on the part of Austria and Germany?

MR. GLADSTONE: I do not know whether it was intentional; but the Question, as it was drawn—the first Question—would imply that there has been a course of continuous protest on the part of the Porte. Perhaps that was not meant; because I could not affirm that there had been such a course. But, undoubtedly, at the present moment, the Porte objects to the Conference; and, while we may fairly say we are aware of that fact, the Circular to which the right hon. Baronet refers has not been made known to us. We have no official cognizance of that Circular; and, undoubtedly, its terms are not before us. He asks whether we still propose to hold it? Yesterday, at the time when the Conference was expected to meet, several of the Representatives of the Powers had not received their definite instructions; but we have now the information that the instructions from England, France, and Italy had at that time been received. The instructions from Germany and Russia have now been received. With respect to the instructions from Austria, we have, up to the present moment, no definite information; but we have no reason to believe, from the information we possess, that Austria has any intention of maintaining an isolated position; and I have no doubt whatever that the intention of the Representatives on the spot is to hold a Conference. With regard to the Question whether it is intended to demand reparation for British losses of life and property in Egypt?—undoubtedly in this, as in all cases, and without prejudice to our liberty of action, a demand would be made on the *de facto* authorities in Egypt—those who were actually possessed of power—quite irrespective of any question as to recognition of legality, or any other public matter. For the maintenance of peace and order we rely, in the same way, in the first instance, on the *de facto* authorities. The permanent question of the maintenance of the peace, order, and tranquillity of Egypt is essentially involved in the matters referred to the Conference; but while I say that we look primarily to the *de facto* authorities, yet instructions have for some time past been given to Her Majesty's servants on the spot, to enable them to meet the case of any failure on the part of these authorities.

Mr. J. LOWTHER: Whom does the right hon. Gentleman consider the *de facto* authorities?

Mr. GLADSTONE: Those who are in possession of power in face of the world, and who are pretty well known to all the world. We have no official relations with them, but they are those who are set forth—and apparently there is no reason to doubt the fact—as the actual Ministers of the Khedive. But there is a question on which I should like to preserve entire liberty of action to the Government—the question whether the Commissioner of the Sultan, by accepting joint responsibility with Arabi Pasha at a certain date, likewise became a *de facto* authority. That is a question of importance, and one which we shall not allow ourselves to lose sight of.

Sir STAFFORD NORTHCOTE: The point to which I referred in my Question was that reference had been made to the joint responsibility of the Commissioner with Arabi Pasha. I will repeat the Question on Monday.

Lord EUSTACE CECIL: Are we to understand that a demand has been made for reparation, or that it is going to be made?

Mr. GLADSTONE: The Under Secretary of State for Foreign Affairs stated that we have not deemed it to be our duty or sound policy to enter into official communications with the existing Ministry in Egypt; but our Agents have received instructions on the subject of the demand referred to by the noble Lord.

Baron HENRY DE WORMS asked how, taking into consideration the statement just made that the Government did not recognize the *de facto* rulers of Egypt, that fact was to be reconciled with the subsequent statement that they were held responsible by Her Majesty's Government for the massacre of Her Majesty's subjects?

Mr. GLADSTONE: I think that is a Question on a matter of opinion. It appears to me there is not the smallest justification for it.

Lord EUSTACE CECIL: On Monday I shall ask the Under Secretary of State for Foreign Affairs, Whether he can state the number and amount of claims for compensation which have been made by British subjects in reference to the recent riots in Alexandria?

Sir CHARLES W. DILKE: I think that that will be too soon. Up to the present but two claims have been received; but, of course, there will be a great many more.

Mr. ASHMEAD-BARTLETT: I wish to ask the First Lord of the Treasury, Whether Her Majesty's Government will give an assurance to Parliament that they will not assent to the neutralisation of the Suez Canal, and will withdraw from the Conference if this question is insisted upon by the other Powers? I also desire to know, whether the Government will lay on the Table of the House, in the early part of next week, a copy of the Instructions issued to Her Majesty's Ambassador accredited to the Conference?

MR. GLADSTONE: I observe that the hon. Member's Questions invariably assume a dual form—one Question is on the Paper, and the other he puts without Notice. Conforming myself to the practice of the hon. Member, I will say, in regard to the presentation of the Instructions as an isolated Paper, that, although those Instructions will undoubtedly come under the cognizance of Parliament at the proper time, we have certainly no intention of presenting them as an isolated Paper. In regard to the Question on the Notice Paper, as to the neutralization of the Suez Canal, I had hoped it had been made sufficiently clear by other answers; but I do not object to state that the subject of the control, the government, the neutralization, and the legal position of the Suez Canal is one which has never been referred to the Conference, and appears to us to be altogether outside the purpose of the Conference. That is all that it would be regular on my part to state. I have been asked what we should do if the other Powers were to insist upon entering into questions with regard to matters not before the Conference, and which no person has ever suggested were questions for the Conference? To that question, my reply is, that if we were to start with a set of negatives, or rather, of minatory declarations, I doubt, in the first place, whether such action would be consistent with international courtesy. In the second place, I doubt whether such action would contribute to the maintenance of harmony, of mutual confidence, and of identity of views among the Powers taking part in the Conference. And, thirdly, if we were to admit that the Conference could discuss one subject that was outside of the purview of the Conference, we should not be able to exclude the discussion of any others outside of that scope.

MR. ASHMEAD-BARTLETT: The Prime Minister having brought a general charge against me, I beg to ask permission from the House to make a personal statement. Following well-known lines, I will simply deny the accuracy of the charge. I am not in the habit of always putting dual Questions. My second Question to-day arises out of the first. It is not contrary to the practice of the House to place important Documents, although isolated, on the Table. It was done in the case of the Joint Note of the 10th of January; and, in view of that fact, I repeat my Question to the Prime Minister, Whether he cannot see his way, for the satisfaction of Parliament and the country, to place the Instructions to Her Majesty's Ambassador at Constantinople on the Table?

MR. GLADSTONE: I am sorry to say that it is my duty to decline answering a second time a Question I have already answered.

SIR H. DRUMMOND WOLFF: I beg to give Notice that on Thursday next I shall ask the Prime Minister, Whether Her Majesty's Plenipotentiary at the Conference will be instructed to advocate that, within the limits of international obligations, the people of Egypt should have some Constitutional control over their own affairs?

EVICTIONS (IRELAND) — THE RETURNS.

MR. FITZ-PATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will, in any future Returns of Evictions in Ireland, arrange to have a distinction made in such Returns between these two classes of Evictions, viz. Evictions on judgments or decrees in actions of ejectment for non-payment of rent; and, secondly, Evictions in cases where the tenant's farm has been purchased by the landlord, who subsequently brings an action of ejectment on the title grounded on the sheriff's deed?

MR. TREVELYAN: I will consult with the authorities in Dublin on the matter, with the desire to meet the hon. Member's wishes.

ARMY (INDIA)—RUMOURED REDUCTIONS.

MR. CHAPLIN asked the Secretary of State for India, Whether it is true that considerable reductions have quite recently been made in the Military Forces of the Crown in India; and, if so, what those reductions have been?

The Marquess of HARTINGTON: On the recommendation of the Commission on Army Organization appointed by the late Viceroy of India, and on the urgent and renewed representation of the Government of India that the strength of Artillery in that country was in excess of its requirements, especially as regards the very expensive branch of Horse Artillery, four batteries of that arm and one field battery, together with six batteries of garrison artillery, have been reduced. The number of mountain batteries has, however, been increased, and the strength of the 17 remaining garrison batteries has been increased from 80 to 108 men each. As regards the British establishment, no reductions or changes in the British Cavalry or Infantry in India have as yet been made. With regard to the reductions in the Native Army, four regiments of Cavalry and 18 regiments of Infantry have been reduced; but such an increase has been made to the 144 remaining regiments as to raise the total fighting strength in all ranks by a small number—about 30—the actual increase in privates being 2,366. One British officer has also been added to the establishment of each regiment.

Mr. A. J. BALFOUR: Will the noble Marquess tell us what further reductions are contemplated?

The Marquess of HARTINGTON answered that the Report to which he had made reference proposed a very considerable reduction in cadres, but no reduction in the total number of men. The Government of India had also recommended certain reductions; but they had not yet been adopted.

SCIENCE AND ART—THE NATIONAL GALLERY—THE HAMILTON COLLECTION.

Lord ELCHO asked the First Lord of the Treasury, Whether, supposing a special grant has been given to the Trustees of the National Gallery for the purchase of pictures at the Hamilton sale, the sum in question amounts to less than the lapsed balances of the annual National Gallery grant for the last two years; whether the Trustees, consequent upon the recommendations of the Select Committee on the National Gallery in 1853, and the Treasury Minute of 1855, have hitherto always received the full amount of the said lapsed balances as special occasion arose; whether, if such be the case, the present repayment of a portion of lapsed balances can be properly considered as a special grant; and, whether, supposing the sum in question to be inadequate to meet the requirements of the Trustees, such additional money as may be necessary will be given by the Treasury?

Mr. GLADSTONE: In regard to this Question, I think my noble Friend has not been quite accurately informed. He wishes to know whether the sum the Treasury has placed at the disposal of the National Gallery for purchases at the Hamilton sale amounts to less than the actual balances of the National Gallery grant for the last two years? I have already said, and my noble Friend will feel there is some reason in it, that it is not my intention to enter into any statement of figures, but I may inform him that the sum is not less than the balances; on the contrary, it is considerably more.

NAVY ESTIMATES, VOTES 6 AND 10—THE SHIPBUILDING POLICY OF THE GOVERNMENT.

Sir JOHN HAY said, that there were now 80 Notices down on the Paper upon the Motion for going into Committee of Supply on the Navy Estimates, and of these only six bore any reference to the Navy. One stood in his name, and he was prepared to postpone it until the consideration of Vote 6 or Vote 10; but before doing so he requested an assurance from the Government that he would have an opportunity of discussing the important question involved at some reasonable hour of the night. He had moved for Returns which were essential to the proper discussion of Votes 6 and 10; but though they had been promised some time ago, they had not yet been laid on the Table. Unless the Returns were ready he should consider it his duty to go on with the Motion of which he had given Notice; but he suggested that it would be better to postpone the Votes in question until the Return was in the hands of hon. Members.

Mr. CAMPBELL-BANNERMAN quite appreciated the position taken by the right hon. and gallant Gentleman, and undertook not to take the Votes referred to on Monday.

Mr. W. H. SMITH said, he thought the arrangement suggested a very reasonable one. To discuss again, as they had done last year, such an important Vote as shipbuilding in the second week of August, would, however, be a scandal, and, therefore, he hoped the Return would be produced within a reasonable period.

MR. GLADSTONE reminded the right hon. Gentleman that he had already given pledges that whatever took place with regard to other Business, Supply should be taken before the middle of July.

MR. W. H. SMITH said, the right hon. Gentleman had also accompanied that with a promise to give an opportunity for discussion on Foreign Affairs. He wished to impress on the right hon. Gentleman the gravity of these questions, which had not been sufficiently discussed, and on which Gentlemen on the opposite side of the House felt a deep interest.

MR. GLADSTONE: Hear, hear!

POST OFFICE—WEATHER FORECASTS.

MR. BIRKBECK asked the Postmaster General, Whether he will allow the daily weather forecasts issued by the Meteorological Office to be sent to, and exhibited at, every postal telegraph office throughout the agricultural districts for the benefit of farmers during the hay season and harvest?

MR. FAWCETT: This subject has already been brought under my notice by my hon. Friend the Member for Newark (Mr. Earp), and, according to a promise I gave at the end of last Session, I have very carefully looked into the matter to which the Question of the hon. Member refers. I regret that I do not see my way to accede to his request; because it appears that if the Government supplied telegrams gratuitously to those interested in agriculture, it would be impossible to refuse similar applications from those engaged in other trades. I believe that there would be little difficulty in securing the object desired. I understand that the Meteorological Office supplies the weather forecasts gratuitously to anyone who is willing to pay the expense of telegraphing them, which is very rarely more than 1*s*. If, therefore, the farmers in any district jointly subscribed, the expense to each would be very inconsiderable. The forecasts might be exhibited at the post office; and in the case of those farmers who resided within the area of free delivery, the messages could be delivered at the small extra cost of 3*d*. for each additional copy.

PARLIAMENT—BUSINESS OF THE HOUSE.

MR. T. P. O'CONNOR asked the Prime Minister, Whether, as Supply was down as the first Order for the Evening Sitting, the Government did not intend to proceed with the Prevention of Crime Bill at that Sitting?

MR. GLADSTONE said, that arrangement was a necessity arising out of the Orders of the House. When the Prevention of Crime Bill was down for the Morning Sitting, it could not at the same time be put down for the Evening one. On Monday, neither the Prevention of Crime nor the Arrears Bill would appear on the Orders. If they did they must be taken.

MR. JUSTIN M'CARTHY asked when the Motion would be made for precedence of the Notice of Motion over the Prevention of Crime Bill?

MR. GLADSTONE said, he should like to offer an explanation. The Order with regard to the Arrears Bill exactly corresponded with what he had just stated, because it said that it should have precedence on every day on which it was set down. But he observed that the Prevention of Crime Bill was to have precedence from day to day. That being so, it would be necessary to put it down for Monday, and on its being called to move for its postponement for the day.

SIR STAFFORD NORTHCOTE asked if it would not be sufficient if it were ordered to be taken on Tuesday?

MR. GLADSTONE, said that he was afraid that could not be done, because it would break in upon the Rule laid down by the House. He was much obliged for the suggestion of the right hon. Gentleman.

MR. J. LOWTHER asked if the case would not be met by moving the adjournment on Monday?

MR. GLADSTONE, said they would consider the matter and see what could be done.

MR. HEALY remarked, that the Home Secretary had placed a new clause and five pages of Amendments to the Prevention of Crime Bill on the Notice Paper. It would be much more convenient for the discussion if those Amendments were embodied in the Bill. Would the Government to-night take the same course with regard to the Prevention of Crime Bill as they took last night with the Arrears Bill—namely, pass it through Committe *pro formâ* to insert the Amendments and the new clause, and then order that it be re-committed in respect of the clauses which were not finished?

[No reply was given.]

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 22nd June.*]

[EIGHTEENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART III.

GENERAL POWERS.

Clause 12 (Application of Alien Act to aliens in Ireland).

MR. O'SULLIVAN rose to move an Amendment in page 6, line 43, at the end of clause, to add—

> "Except in cases where such alien has resided for more than six months in such district previous to any Government action in his case."

THE CHAIRMAN said, the Amendment of the hon. Member would leave the clause as it stood before, and, therefore, could not be put.

MR. O'SULLIVAN, as a point of Order, wished to know in what respect the Amendment was irregular?

THE CHAIRMAN said, the Amendment stated—

> "Except in cases where such alien has resided for more than six months in such district previous to any Government action in his case."

MR. O'SULLIVAN trusted that he might be allowed in the Amendment to specify a district which would make the Amendment regular.

THE CHAIRMAN: Certainly, when it comes on upon the Amendment of the hon. Member for Wexford (Mr. Healy), which stands next but one on the Paper, and which will come on in regular order. I have now to call upon the hon. and learned Member for Roscommon (Dr. Commins).

DR. COMMINS moved, in page 6, line 43, at end, to add—

> "Provided, nevertheless, That the information upon which an order directing any alien within the United Kingdom to depart this realm may be made according to the provision of the said Act shall be an information upon oath sworn before a justice of the peace, and a copy of such information, together with the order made thereupon, shall be served upon the person against whom the same has been made before any warrant shall issue for his arrest or removal from the kingdom under the provisions of the said Act."

This Amendment was necessary, he thought, to carry out the ordinary and time-honoured forms of procedure in regard to aliens. The Alien Act contained some extraordinary powers. It gave power to the Lord Lieutenant or the Secretary of State in England to arrest an alien without giving him any notice whatever of the information or complaint primarily lodged against him. It gave the Executive authorities power to arrest him without anything being done to advertise him of the fact that he was in danger, or giving him notice as to the charge he was expected to meet, further than the publication of an advertisement in *The London and Dublin Gazette.* He thought such publication was entirely insufficient, and that if the matter were left in that way great injustice would be done. It was very well known that *The London Gazette* was never read by anybody except persons who were interested in the list of bankrupts; and, so far as *The Dublin Gazette* was concerned, it was never read by anybody or seen by anybody except by the police of a district. It was issued to the different police-barracks, and the Constabulary were the only persons he ever heard of who received it or read it. Therefore, a notice published in *The London* or *Dublin Gazette* might have appeared for years before the person affected by it might hear of it. If such a notice were still deemed necessary, there ought to be some provision made that a copy of *The Gazette* containing the notice should be forwarded to the person accused. It must not be forgotten that the Act not only jeopardized the liberty of the subject, but that a man engaged in business might be exposed to arrest, and to the entire destruction of his trade or business, and the loss of his property. Nevertheless, there was at present no provision whatever in the Bill to enable him to protect himself and his property. He, therefore, proposed this Amendment, in order to adopt, in the case of aliens, the ordinary practice in every other case. If an action were brought against an alien, and his liberty or his property placed in jeopardy, a writ must be served on him before a single step could be taken. If a charge were made against him of having violated the law, he must be summoned, or must receive due notice to enable him to meet the charge; but in this Act there was nothing whatever to give him the slightest notice that he was to be made a victim. There was nothing beyond the theoretical idea that a notice published in the official *Gazette* went all over the world; whereas, as a matter of fact, it was seen by nobody at all. Even a fox was fairly hunted; but in the case of an alien there was to be nothing to give him notice of the danger he was incurring; and the moment a warrant was issued by the Lord Lieutenant or the Secretary of State, he might be arrested and committed forthwith to prison, or sent out of the country. After the arrest was completed, there were certain provisions, good enough in their way, to enable the prisoner to defend himself; but it would then be too late. He ought to have had notice before matters had gone so far, and before the warrant was made out for his arrest, and before the order was made out calling upon him to leave the country. He hoped the right hon. and learned Gentleman the Home Secretary would see that the Amendment that he proposed was not an unreasonable one. The 2nd section of the Act of 1848 made the refusal of an alien to obey an order he might never, in this case, have seen at all, a misdemeanour. But in that case he was liable to be taken before the ordinary Justices of the Peace. He might be brought up on a warrant, or summoned before the Justices; and in either case he was committed for trial by a jury. By the present Bill the right of trial by jury was taken away, and with it the right which foreigners possessed under former similar Acts of trial by a jury *de medietata linguæ*. Under the Act of 1848 an alien was entitled to be tried by a jury, half of whom were foreigners, in order that foreigners might see that no injustice was done to him. By the present measure that right under the Act of 1848 was taken away, and under the 2nd clause, any alien sent for trial would not have the right of being tried by a jury at all; and even if the tribunal could be termed in any sense a jury, it was a jury upon which there would not be a single foreigner. He thought an alien brought under the operation of the Bill was entitled to ask for the old protection which had always hitherto been given to an alien. Therefore, he impressed upon the Home Secretary that the acceptance of the Amendment would not in any way embarrass his action in removing obnoxious foreigners, while it certainly would afford some protection to the foreigner himself. We claimed in this country to be a civilized people, and we had no wish to make laws that would debar us from exercising the ordinary well-known and established principles of fair play as between man and man, and setting traps to catch persons who were not acquainted with our law. Although all subjects and aliens living in the country were supposed to know the law, they did not, as a matter of fact, and very few foreigners would be acquainted with the proceedings which might be taken against them. Therefore, on the grounds of ordinary and natural justice, he appealed to the Home Secretary to provide some such protection as that which was proposed to be given by the Amendment before he rendered aliens liable to summary arrest and summary conviction without a hearing before the magistrates. Under the Bill, as it stood, an alien would be liable to summary deportation out of the country; and all he (Dr. Commins) asked was that before he was rendered liable to these arbitrary Acts, he should have fair play. If, upon due investigation, it should appear that he was a dangerous man, then by all means let him be required to leave the country.

Amendment proposed,

In page 6, line 43, at end, add—"Provided, nevertheless, That the information upon which an order directing any alien within the United Kingdom to depart this realm may be made according to the provision of the said Act shall be an information upon oath sworn before a justice of the peace, and a copy of such information, together with the order made thereupon, shall be served upon the person against whom the same has been made before any warrant shall issue for his arrest or removal from the Kingdom under the provisions of the said Act." —(*Dr. Commins.*)

Question proposed, "That those words be there added."

SIR WILLIAM HARCOURT said, he quite agreed with the hon. and learned Gentleman that the fox should be fairly hunted. He only wished to compel him to break cover. It would be found on examination of the Act, that the accused had all the security he wanted. First of all, the order was to be made, and it was then to be published in *The London and Dublin Gazette.* He did not attribute much value to advertising in *The London and Dublin Gazette,* and in that respect he agreed with the hon. and learned Member; but the hon. and learned Member would see that the important words in the Act were these—"If any such alien shall knowingly and wilfully refuse obedience to the order." Nothing would be done to him at all unless he knowingly and wilfully refused to obey the order. It was quite obvious that it must be brought to his personal knowledge before anything could be done with regard to him. Then, if he did not want anything to be done to him at all, it was a simple thing for him to go away. If he did not choose to go away, he was not left entirely at the mercy of the Lord Lieutenant or the Secretary of State, because he might at once appeal to the Privy Council, either in England or Ireland, to suspend the execution of the warrant and the Privy Council was bound to give him a general summary of the matters alleged against him and to allow him a reasonable time to prepare his defence. That was all that was really done. If hon. Members opposite wanted to do more they would really defeat the object of the Act, which was necessarily a summary process. It was not a judicial process in its inception. It was an Executive act by a Sovereign Power, which was directly responsible to the Sovereign of a foreign country for the treatment of the subject of that country under the Act. It was not a judicial clause at all, and therefore he objected to the introduction of Justices of the Peace into the question. They were not persons who ought to have anything to do with the execution of the Act. There were provisions included in the clause to prevent any unjust or improper exercise of the right of imprisonment. There was power given in the 4th section of the Alien Act to admit to bail; but it was to be exercised by the Judge of a Superior Court, and the Judge of the Superior Court might discharge an alien or send him to prison for a month. To that extent, and to that extent only, was the judicial authority introduced; but to begin the process by requiring every information to be laid before the Justices of the Peace would give the transaction a character which ought not to belong to it. It was a directly executive act authorized by Parliament. Unquestionably, at the time when *Blackstone* wrote, it was understood that the Crown had power to do these things without the authority of Parliament. He knew that it was a matter under dispute; but it was understood that the practice at Common Law, at the time *Blackstone* wrote, was that the Crown could do these things on its own authority. Since the Act of 1803 that Prerogative right, if it ever existed, had disappeared, as Prerogative rights did when they once became merged in Acts of Parliament. They had only now the Act of Parliament to consider; but still it could not alter the fact that it was a Prerogative right regulated by Act of Parliament. Therefore, with great respect to the hon. and learned Member for Roscommon (Dr. Commins), he could not agree with the proposal that the initiative step should be taken before the Justices of the Peace. As to the latter part of the hon. and learned Member's proposal, it was fair enough that the order should be brought to the knowledge of the individual accused; but that was already provided for in the Act under the words "knowingly and wilfully refuses obedience to the order."

MR. PARNELL said, the right hon. and learned Gentleman stated that this was a matter between the Sovereign of this country and the Sovereign or Representative of the country to which the alien belonged; but his objection to this matter was that there was a liability of abuse. There was nothing in the Act of 1848 to insure that the person so removed must be an alien. There might be an abuse of the power of the Crown in two respects. In the first place, it was provided that the Act should apply to aliens who at the time of the issue of the order should—

"Knowingly and wilfully refuse obedience to the order and remain within the realm contrary to the order."

And after the expiration of the time limited in such order, it was provided—

"That it should be lawful for any of Her Majesty's principal Secretaries of State or for the Lord Lieutenant or other chief Governor and so forth to imprison, and cause every such alien to be arrested and committed to prison there to remain without bail or mainprize until he or she was taken in charge for the purpose of being sent out of the realm under the authority hereafter given."

There was nothing so far in the Act, and nothing in any part of the Act, to prevent abuse on the part of the Crown in carrying out the powers of the Act against persons who were not aliens. The Crown were entitled by the provision he had just read, practically speaking, to arrest and imprison, in the first place, any person against whom such an order might have been issued, and there was no appeal against that order except to the Privy Council, the Privy Council being the Executive authority. Surely, in a grave matter of this kind, the Privy Council were, in fact, a part of the Crown, and in so serious a question there should be some check upon the unjust or too stringent exercise of the power by the Crown. Her Majesty's Government were taking power to arrest an alien and to put him into prison, and they afterwards took power to eject him forcibly from the country. He wanted to know what remedy there was against the unjust and unlawful abuse of either of these two powers? The Amendment of his hon. and learned Friend provided—

"That there shall be an information upon oath sworn before a justice of the peace, and a copy of such information, together with the order made thereupon, shall be served upon the person against whom the same has been made before any warrant shall issue for his arrest or removal from the Kingdom under the provisions of the said Act."

Of course, that implied that information on oath should state, on the oath of the person making it, that the accused was an alien; and it provided a very suitable check on the abuse of the authority of the Crown so far as it went. He (Mr. Parnell) did not think that it provided a complete check; but, as far as it went, it provided a necessary and proper check upon the abuse of the initial action of the Crown. But supposing the Crown did not arrest the person, or supposing they did not take and send him away from the country by force, or supposing that they did send him away from the country by force, what remedy had he got, if he were not an alien and were unjustly treated by the Crown? What remedy did this Act, passed evidently with great haste and precipitancy, give to an injured person in such a case?

SIR WILLIAM HARCOURT said, he thought he could remove the difficulty of the hon. Gentleman, although he admitted that it would be a strong and formidable one if it were well-founded. What he contended was that if a person who was not an alien were arrested under this Act, he would have his *habeas corpus*. He could move for his *habeas corpus*, and the Crown could only justify itself under the Act in declaring the man an alien by distinctly showing that he was an alien. No doubt he might be committed to some prison under the Act without bail or mainprize; but if he could show that he was not an alien, he must be discharged. His arrest by the Crown could only be justified by showing that he was an alien.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he would have his action against the persons by whom he was wrongfully imprisoned.

MR. PARNELL was of opinion that the committal of an injustice under the Act would require to be carefully guarded against. He understood that the Act of 1848 was not used against any alien. Therefore, they had no practical example of the manner in which these powers would work.

SIR WILLIAM HARCOURT said, there were examples under the former Acts which amounted to the same thing. It must be borne in mind that these Acts had been in practical operation from 1793 to 1824; therefore, they had been continually in operation for 30 years.

MR. PARNELL wished to know whether the right hon. and learned Gentleman could produce any precedent justifying the principle he had just laid down, that a person arrested under this Act, or under the previous Acts, had a right to apply to the Courts for a writ of *habeas corpus?* In such a case, would the onus of proving a man to be an alien be thrown upon the Crown, or would the onus of proving that he was not an alien be thrown upon the prisoner himself? These were all points upon which the Committee were very much in the dark, and if a precedent could be produced it was most desirable that they should have it.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, that under the successive Alien Acts, from 1793, and which were continued down to 1824, there must have been, although he could not cite them at that moment—instances of action under the Acts for breaches of the provisions contained in them, because one of the Acts contained a recital that the action of the previous Acts had been found to be expedient and beneficial. Therefore, there must have been action under them. Presumably, everyone in the Kingdom was a natural-born subject, and no natural-born subject could be put in prison without being entitled to be brought out on *habeas corpus*. The person who wrongfully held him in prison, whether a gaoler or a private individual, must answer the writ of *habeas corpus* by showing that in point of law his detention was justifiable, and that he was entitled to keep the man in prison, if the truth of the return to the writ was examinable. If an alien, or a person called an alien, was arrested the inference was that the arrest was justifiable; but it rested with the Crown or the person making the arrest to furnish *primâ facie* evidence that the person arrested was an alien and came within the provisions of the Act. Of course, the prisoner would be allowed to disprove any *primâ facie* evidence by proving that, in fact of law, he was not an alien, and if the Crown could not give proof that he was an alien within the meaning of the Act, his discharge would follow. No Court would refuse to take cognizance of such a case, and a man unjustly arrested would be entitled to bring an action against any person who had arrested him unlawfully. He would have full title to all the protection the law could afford. He thought he had met the question which the hon. Member for the City of Cork (Mr. Parnell) had asked.

Mr. DILLON said, he was glad that the right hon. and learned Attorney General for Ireland had answered the question, because it was exceedingly important that persons who were not aliens should not be arrested under the provisions of this measure. The same point as that which had been put by his hon. Friend had occurred to him (Mr. Dillon). He understood the Attorney General for Ireland to say that a man arrested under the Act would have power to obtain a writ of *habeas corpus*, and it would then become incumbent on the Crown to produce *primâ facie* evidence that he was an alien within the terms of the Act. But the point he wanted to get at was the kind of evidence it would be necessary for the Crown to produce. If a man wanted a writ of *habeas corpus* in Ireland, they might depend upon it that it would be very difficult for him to get a decision in his favour from the Court of Queen's Bench in that country. He was induced to believe that the Court of Queen's Bench would be strongly inclined to refuse a writ of *habeas corpus* if they had any colourable justification for doing so. The right hon. and learned Gentleman said that the Crown was to produce *primâ facie* evidence that a man was an alien and came within the terms of the Act. Would the order of the Lord Lieutenant be *primâ facie* evidence? What would be taken by the Court to be *primâ face* evidence? What did the Government contemplate to be *primâ facie* evidence that a man was an alien, so that it might be known under what circumstances a writ of *habeas corpus* might be obtained? There were other points of greater interest which he wished to raise; but he should like, in the first instance, to have an answer to that question.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, that an alien was one who was not a natural-born subject of the Crown, or a foreigner who had not been naturalized in this country. The Crown would have to adduce evidence that a man was an alien, or, in other words, that he was not a natural-born subject, and that he had not been naturalized, and the accused would have an opportunity of disproving that evidence.

Mr. DILLON asked if the right hon. and learned Gentleman meant that the Crown might be called upon to prove that an individual was not a natural-born subject, or that he was a foreigner who had not been naturalized? Would the Crown be called upon to prove that?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he had never been subjected, since he was a Law student, to such a series of categorical questions of this nature. At the same time, he admitted the right of the hon. Gentleman to put them, and he would endeavour to give an answer as plainly and as lucidly as he could. Of course, it must be understood that he was speaking now from old recollections of these matters, and from knowledge obtained years ago. He had already stated that no one could be arrested under this Act, unless he was an alien within the terms of the Act. He had pointed out, further, what an alien was—namely, that he was neither a natural-born subject, nor a foreigner who had been naturalized in the country. It was incumbent on everyone who arrested another to prove that the arrest was justifiable; therefore, it would be necessary for the Crown, in arresting a man under this Act, to adduce *primâ facie* evidence that the man was not a natural-born subject of the Crown, or that he was a foreigner who had not been naturalized. Of course, a subject who had denationalized himself lawfully was a foreigner.

MR. DILLON said, he thought the best course he and his Friends could take would be to prepare an Amendment embodying their views on the matter, and submit it to the Government. The question was a very important one, but it might be raised on an Amendment to be brought up on a later stage of the Bill. There was just one other point. The Home Secretary said he thought it was a reasonable contention that an individual who was required to leave the country should have the fact brought home to his knowledge, and the right hon. and learned Gentleman had pointed out that the words of the Act, "knowingly and wilfully," would be sufficient. That would go a long way towards meeting the objection which had been raised; but if the right right hon. and learned Gentleman read further on, he would find these words—

> "Or if any such alien shall refuse or neglect to pay due obedience to such order, or shall be found in this realm, or any part thereof, contrary to this order."

The hon. and learned Gentlemen would notice that the word "or" came in after the words—

> "Knowingly and wilfully refuse or neglect to pay due obedience to such order."

Those were very important words—

> "Or shall be found in this realm or any part thereof, contrary to the order aforesaid, or after the publication of the order."

The publication being a publication in *The London and Dublin Gazette.* What he wanted to know was this. Whether the mere fact of an alien being found in any part of the Realm within the time limited in the order, or after its publication, would be sufficient to justify his arrest and removal by force; and, secondly, whether it would bring him under the 2nd clause of the Act, and permit of his being treated as if he had been guilty of a misdemeanour?

SIR WILLIAM HARCOURT said, that having looked attentively at the matter, with all the facts before him, he should feel inclined to reply to the question in the negative. At the same time, it was a matter that ought to be well considered; and he would promise the hon. Member that it should be considered—namely, whether a man ought to have due notice. He believed, however, as the hon. Momber asked his opinion, that the Act secured due notice being given. If it did not, it was a matter for further consideration, and it should be looked into. He wished to point out that there was a Statute still in force—the Statute of *Will.* IV. c. 6 & 7—which required the masters of all ships to declare what aliens were on board, or had landed from their vessels, and the masters of such ships were under penalties if they did not make such declaration. Aliens, also, who came from abroad, were bound under penalty to give their name and descriptions, and register themselves to the officers of the Customs. He wished to call the attention of the hon. Member to the Statute. No doubt it had not been acted upon, but it still remained a Statute, and was capable of being enforced. Under its provisions every master of a ship and every alien was bound to make such a declaration, and it was also necessary to provide a certificate of his departure from the Realm which was required to be transmitted to the Secretary of State. He thought that Statute was worthy of the attention of hon. Members in connection with the subject, because it was a Statute actually in force.

Mr. SEXTON said, it was quite clear, from the use of the disjunctive "or," that either knowingly and wilfully disobeying the order, or being found in the Realm after the publication of the order, would render a man liable to be imprisoned.

Sir WILLIAM HARCOURT said, that he had already promised to consider that matter.

Mr. SEXTON said, there could be very little doubt that, under the clause in the Act, if an alien remained within the Realm after the issue of the order, or after its publication, it would be open for the Lord Lieutenant to take one of two courses in regard to him. He might put him in the hands of a Queen's Messenger, and by force remove him out of the country, or he might send him to prison. The value of the judicial power of appeal would entirely depend on which of those two courses the Executive Government chose to take. In other words, the writ of *habeas corpus* could not come into operation unless the Lord Lieutenant took the optional course of putting aliens into prison. But supposing that the Lord Lieutenant, instead of putting him into prison, placed him in the hands of a Queen's Messenger, and forced him to leave the Realm, what power of appeal would an alien have who had been removed out of the country? In either case the power of appeal could not come into operation unless the Lord Lieutenant put an alien into prison. If he resorted to the second optional course — namely, of forcible deportation, then he (Mr. Sexton) contended that the alien had no remedy at all, and it was not necessary that the country to which the alien was deported should be his own country.

Sir WILLIAM HARCOURT said, that was not the case, because under the 3rd section of the Alien Act, if a man deported were not an alien, he could return and employ all the remedies provided by the law against the persons by whom he had been unlawfully deported. The hon. Member was now, however, entering into a different point from that which the Committee had been discussing before. The hon. Member for the City of Cork (Mr. Parnell) asked what remedy a man would have who was forcibly removed from the country, and who was not an alien?

Mr. SEXTON: A person ordered to leave the country.

Sir WILLIAM HARCOURT said, that if such a person was a British subject, he (Sir William Harcourt) would not like to be in the position of the Secretary of State who had forcibly removed him. When he came back he would be able to bring an action for having been dealt with unlawfully. He would have all his remedies at law.

Mr. SEXTON remarked, that the right hon. and learned Gentleman could not fail to see the valuelessness of the writ of *habeas corpus* to a person placed in such a situation.

Sir WILLIAM HARCOURT: He would have his action.

Mr. SEXTON said, the man might be an alien, or he might not. He might be an alien in no sense dangerous to the peace of the country, and if he was deported he could not remedy himself by obtaining a writ of *habeas corpus.* He might have the remote and satisfactory mode of remedying the injury done to him which was pointed out by the right hon. and learned Gentleman; but the statement of the right hon. and learned Gentleman showed the complete inutility of the writ of *habeas corpus.*

Sir WILLIAM HARCOURT said, he had mentioned the writ of *habeas corpus* in answer to the hon. Member for the City of Cork (Mr. Parnell), who wanted to know what a man would be able to do who was unjustly arrested and detained. The question now put was altogether different, and admitted of another answer. By the 3rd section of the Alien Act, an alien could be dealt with either by putting him in prison if he refused to leave the country, or by forcibly removing him from the Realm. The hon. Member would see that whenever it was proposed by the Secretary of State to deal with him in either way, if the alien alleged any excuse for not complying with the order, he could appeal to the Privy Council. Within a few moments of his arrest he could lodge an appeal to the Privy Council, whereupon the matter would be heard, and the charges against him would be taken into consideration. It would be lawful for him to summon and examine witnesses on oath before the Privy Council, and to be heard by counsel before the same tribunal. Therefore, he had full and complete protection, and if he was forcibly deported, he could return and bring his action.

MR. SEXTON thought the right hon. and learned Gentleman had given a strained reading of the provisions of the Act.

SIR WILLIAM HARCOURT said, he thought the whole matter was made very clear. Where no justification was pleaded by the alien, the Secretary of State or chief Governor had power to direct a Queen's Messenger to deport him forcibly from the country; but it was the duty of the officers in whose custody a person arrested under that clause was, to communicate his alleged excuse or justification, and they were bound to make it known to the Secretary of State or the Lord Lieutenant, as the case might be. Therefore, the moment action was taken against an alien, all he had to do was to allege his excuse, whereupon the person in whose custody he was was bound to communicate it, and it operated as a supercession of the warrant until the matter was inquired into by the Privy Council. That prevented any immediate and arbitrary action on the part of the Lord Lieutenant.

MR. SEXTON said, it was evident that the writ of *habeas corpus* would not apply to cases of that kind, because the Lord Lieutenant might instantly direct a Queen's Messenger to deport the man who had been arrested from the country without any excuse or justification being lodged with the Privy Council. There was another point upon which he desired to have some information. Suppose the alien alleged an excuse, and an appeal was made to the Privy Council, and the alien in the meantime was put in prison, what would be the consequence? The Judges would have power to bail him or release him; but the power of bail simply allowed him to be at large, and the power of release did not come into operation until the man had been in gaol. Therefore, the power of the Lord Lieutenant or the Home Secretary would remain in force, and he should like to know whether the hearing of the appeal before the Privy Council was a public or a private one?

SIR WILLIAM HARCOURT said, he should not like to say off-hand. It would not be before the Judicial Committee of the Privy Council, but the Privy Council formed in the ordinary way—namely, the Lords of Council.

MR. SEXTON said, those provisions did not imply a public hearing. There were provisions in the Act that the man should be able to call witnesses before the Council, and also that he might be heard by counsel; but those provisions did not imply a public hearing, and it would be extremely dangerous if the question of the deportation of an alien who was the subject of a foreign country were made a sort of "Star Chamber" inquiry in this country. He thought there ought, at any rate, to be a public hearing. Altogether an inquiry before a Privy Council would be a very doubtful matter, because the Privy Council consisted, practically, of the Colleagues of the right hon. and learned Gentleman who made the order, and it was, in reality, an appeal from himself to himself. He thought the result of an appeal to the English Privy Council, and still more to the Irish Privy Council, would be extremely doubtful. It was most unlikely that a body constituted as the Privy Council was in Ireland, and not remarkable for displaying its independence, would reverse any order made by the Lord Lieutenant. He would ask the right hon. and learned Attorney General for Ireland, who was smiling so significantly, and who was, no doubt, intimately acquainted with the action of the Irish Privy Council, if he could cite any instance in which the Privy Council had overridden the power of the Lord Lieutenant? If the right hon. and learned Gentleman could do so, he (Mr. Sexton) would be disposed to advise the withdrawal of the Amendment; but, at the present moment, he was bound to believe that an appeal to the Privy Council from a decision of the Lord Lieutenant was valueless. He had already pointed out the extraordinary difficulty of proving whether a man was an alien or not, and if the onus was thrown on the Crown of proving a man to be an alien, the difficulty of the task would be increased. For instance, a man went from Ireland to America, and remained there for five or seven years, or for a sufficient time to enable him to take out letters of naturalization but, nevertheless, he did not avail himself of that right. He would, therefore, if he returned to this country, not be an alien. There might be other reasons which might be considered by the authorities sufficient proof that a man was an alien or citizen of America, and yet the whole of them might be founded on a misapprehension of the facts. In such a case as that which he had cited, how were the authorities to prove that a man was an alien? Then there was the case of Irish-born children of Irishmen emigrating to America. The children might be young when they went to America, and the father might or might not have taken out letters of naturalization. What, therefore, would there be to show that such persons, if they returned to Ireland, were citizens of the United States? How did the Government propose to deal with such a case? The question whether an Irish-born person, or a person of Irish extraction, who had been for years in America, was a citizen of the United States, was often a very complicated matter; and it was, therefore, very essential that the Amendment should be adopted. Then why should not a sworn information be required in all cases? It was a most odious thing that a man should be allowed to make a memorandum on a post-card or on the back of the envelope of a letter that such and such a person was an alien, and was guilty of treasonable practices. Before the Lord Lieutenant was required to act there should in every case be sworn information. What harm could it do? It might not be necessary to disclose the information; but all that the Irish Members wanted was that the Lord Lieutenant should be moved in a regular manner. He had already pointed out that the writ of *habeas corpus* would be illusory and ineffectual in many cases, and that the appeal to the Privy Council was simply an appeal from the Lord Lieutenant to himself.

SIR WILLIAM HARCOURT said, the objection of the hon. Member was that a man who was not in reality an alien might be arrested under a warrant and removed out of the country. The hon. Member asked what was to be done in the event of its turning out that the man was a British subject? The Habeas Corpus Act dealt with such a case, and made provision by the 11th section for dealing with a case in which a man had been unlawfully transported out of the country. One provision was that no pardon should be granted for such an offence, and all the provisions of the Act showed how carefully the exercise of these powers must be guarded. The Secretary of State would be exposed to tremendous penalties if he acted illegally in removing a man who was not an alien; and the hon. Member might be certain that this clause of the Bill would not be acted upon unless there was strong *primâ facie* evidence that the man proceeded against was an alien. If an error were committed, there were very large remedies in the hands of the man who might have been improperly dealt with. It did not follow that the authorities would act upon every scrap of information supplied to them. They would proceed to make inquiries. The best proof of that was the fact, already brought to the notice of the Committee, that no action against an alien was taken under the Act of 1848. That showed either that the Secretary of State was not very anxious to imprison every man with or without cause, or that the persons who came under the provisions of the Act got out of the way. The fact was that, even before the Act of 1848 passed, the gentlemen who were likely to have been dealt with under it rapidly disappeared, and there was no one left against whom it could be enforced. It was hoped that what happened then would happen again now. The gentlemen who felt it likely that they would be dealt with would disappear, and no case would arise in which the provisions of the Act would be put into execution. In point of fact, the clause was a deterring clause, and it was meant to be so. The hon. Member asked how the question of alienage would arise? In all probability, the way in which it would arise would be this. The Government would find a man misconducting himself, and they proceeded to deal with him according to the law, when he immediately alleged that he was a foreign subject—a Frenchman or an American—in order to defeat the law. The instant he set up that defence he was brought under the Alien Act, and could be proceeded against under that Act. That was the way in which his alienage would be proved. There were people going about the country saying—"I cannot be touched because I am the subject of another country." The moment they said that, after this clause was passed, they came within the provisions of the

Alien Act, and that was the way in which these gentlemen who, generally speaking, because they were citizens of another country, imagined that upon that ground they could come over here and injure the citizens of this State, could be dealt with. The moment they boasted of their alienage, they must not complain if they were dealt with as aliens, and that would be the ordinary way of proving their alienage.

DR. COMMINS was bound to say that the answers given by the right hon. and learned Gentleman to the various objections which had been urged were very ingenious, but altogether wide of the mark. The right hon. and learned Gentleman admitted that inconvenience might arise, and it was intended to meet that inconvenience that the Amendment was proposed. Nothing could be more illusory than the remedy of the Habeas Corpus Act, which the right hon. and learned Gentleman had suggested. He would like to know how many times within the last 50 years had persons been enabled to avail themselves of the protection of that Act? Surely hon. Members must be aware that it was one of the most expensive and troublesome of the remedies provided by the law. Suppose a person to be arrested at the Land's End, or in the North of Scotland, who wished to sue out his writ of habeas corpus. He would have to employ solicitors, instruct counsel, and altogether go through a process so expensive, that in many cases he would be unable to pay them. He thought that must be regarded as no little obstacle in the way of using this futile and illusory remedy. It had been pointed out by the hon. Member for Sligo (Mr. Sexton) that the protection supposed to be afforded to persons arrested under the clause, by proof being required that they were knowingly transgressing the order, was also valueless. That protection did not exist. The Home Secretary himself stated that aliens found anywhere within the Realm would be liable to commitment, although they might not be aware of the order. The next remedy was, that persons arrested might present their case to the Privy Council. But no such thing as a Judicial Committee of the Privy Council existed in Ireland at all. The deliberations of the Irish Privy Council were secret—the examination of witnesses, and documents before that body would be a secret proceeding; and even if counsel were to attempt to support such a claim before the Council, it would do very little good, because nothing like a fair and open trial could be obtained. The right hon. and learned Gentleman had also dangled another kind of illusory security before the eyes of the Committee. He said if the warrant were wrongfully served, a man might bring his action against the person who so served it. But it was well known to all lawyers that by 11 & 12 *Vict.* c. 43, any officer thus serving a warrant might pay 40*s.* into Court, and he would then be completely protected, unless it could be proved that he had obtained the warrant for the express purpose of injuring the person arrested. Not only would the officer be protected in this way, but he would be able to recover costs against the unfortunate individual who had the audacity to sue him for his wrongful act. The right hon. and learned Gentleman the Home Secretary said he should not like to be the Secretary of State who executed such a warrant. But surely the Law Officers at his side had sufficient knowledge of the law in Ireland to know that in the case of "Burn *v.* Hartington," the Court of Appeal decided that the act of an Inspector of Police, acting under the authority of the Lord Lieutenant, was an act of State, and that a person acting under such authority was protected. That would be the case in Ireland now; the order of the Lord Lieutenant would be held to be a good defence, and the individual would have no remedy whatever. Then, as to his remedy in England; if he had any at all, he would have to fight the case up to the House of Lords. But it was said that the alien would have sufficient notice before he was arrested, because the Government had taken care to provide for that in the 21st section of this Bill. The 4th subsection of that clause was thus worded—

> "The production of a printed copy of the Dublin Gazette purporting to be printed and published by the Queen's authority, and containing the publication of any proclamation, order, or notice under this Act, shall be conclusive evidence of the contents of such proclamation, order, or notice, and of the date thereof, and in the case of a proclamation that the district specified in such proclamation is a proclaimed district within the meaning of the provisions of this Act mentioned in the proclamation, and that the said proclamation has been duly promulgated."

Hon. Members would see that this order declaring a man to be an alien would be held to be conclusive that he was one, and it would be quite enough in answer to his writ of habeas corpus even if he were a wealthy person, or his friends were willing to assist him in issuing the writ. Under these circumstances, he pressed on the Government to introduce something into the Act which would obviate the difficulties he had pointed out. A great and manifest injustice would be done to any person who was arrested for disobeying an order of which he knew nothing—or who was liable to be sent out of the country simply upon a notice appearing in *The Dublin Gazette* declaring him to be an alien, under circumstances which exposed him to the most expensive litigation, and to the ruin or injury of his property. They had had some indication of how this Alien Act would be applied. The right hon. and learned Gentleman the Home Secretary said there were persons who went through the country and who said they did not care for the law because they were French or American citizens, or as the case might be; and he added that it was these people whom the Alien Act would reach. But he would like to know of any single offence or violation of the law of the country, from the most minute of which the law took cognizance up to high treason, which an alien might commit in this country, and with regard to which he could claim immunity because he was an alien. Why, every Civil and Criminal Law was as much binding upon an alien as it was upon a natural-born British subject, and he was, of course, liable to the same penalties. The law in force in Ireland was extensive enough to follow him into every relation of life, almost into his very thoughts. He hoped it was not in vain for Irish Members to offer Amendments to the Bill, founded on the assumption that there still remained in that House, and amongst the people of England, that spirit of fair play which would not allow men to be subject to wrong and annoyance unless they had done something to violate the Criminal Law of the country, and placed themselves thereby outside the protection which that spirit of fair play was supposed to throw around them. With the object of preventing the injustice, wrong, and annoyance he had described, he must press upon Her Majesty's Government the adoption of the Amendment before the Committee.

Mr. WARTON protested against the interpretation which the hon. and learned Gentleman had placed upon the 4th sub-section of the 21st clause of the Bill.

Mr. PARNELL said, it was very evident that a man could be imprisoned under this Bill for a month without bail or mainprize before he could apply to the Court for a writ of habeas corpus—or rather, before he could be released under that Act. [Sir William Harcourt said, that was not so.] In that case he would ask the right hon. and learned Gentleman what was the meaning of the 4th and 5th sections of the Alien Act? He understood the meaning to be that the Court of Queen's Bench might take bail for persons who had been on commitment imprisoned for one month after the order.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, it rested with the discretion of the Judge to take bail immediately on commitment.

Mr. T. P. O'CONNOR it was very unfair to retain the power of keeping a man in prison instead of sending him out of the country.

Mr. PARNELL said, he thought the best course with regard to the Amendment of his hon. and learned Friend the Member for Roscommon was to ask leave to withdraw it, in order that some Proviso might be framed which would show the way in which they desired the Court of Queen's Bench should be enabled to act. In the Act of 1848 this question was left open, and there was nothing to show that the Court would not be compelled to hold that the existence of the order of the Lord Lieutenant or Home Secretary was sufficient to entitle the gaoler to detain the person in custody. Irish Members wanted that the onus of proof should be thrown upon the Lord Lieutenant or the Home Secretary, as the case might be, when application for bail or discharge was made by a prisoner detained under such order.

Dr. COMMINS said, before he acceded to the request of his hon. Friend, he wished to press upon the right hon. and learned Gentleman the Attorney General for Ireland that some notice should be given of the order of the Lord

Lieutenant beyond the publication in *The Dublin Gazette*, which would bring home to the person affected by it the position in which he was placed before he rendered himself liable to imprisonment for disobeying such order. He thought a provision of this kind was only fair, because, as the matter stood, a man might be sent to prison without knowing what the charge against him was. A man ought to be made acquainted beforehand, by a copy of the order being sent to him by post or otherwise, that he would jeopardize his liberty by not obeying the order of the Lord Lieutenant.

SIR WILLIAM HARCOURT said, he quite agreed that a man ought to know when an order was made against him.

MR. WARTON pointed out that the words of the 2nd section of the Act were in themselves a sufficient protection, inasmuch as an alien could not be imprisoned unless he had knowingly and wilfully disobeyed the order.

Amendment, by leave, *withdrawn.*

MR. T. P. O'CONNOR said, on behalf of his hon. Friend the Member for Tipperary (Mr. Dillon), he proposed to move that this clause should not apply to an alien with a passport. The right hon. and learned Gentleman would know that a very large number of people from abroad visited England and Ireland annually, with the praiseworthy purpose of seeing their relatives and visiting the homes of their fathers. He had known many cases of this kind. But this year there was to be a National Exhibition in Dublin that would probably be visited by large numbers of persons from abroad, anxious to see what progress had been made of late years in Irish industries. Now, he did not suppose for one moment that the right hon. and learned Gentleman wished to keep these persons away from Ireland by the fear of coming under the Alien Act; and therefore he trusted that the Act would not be allowed to apply to any person who could show his respectability by the production of a passport, say, from the Foreign Department in Washington or elsewhere.

Amendment proposed,

In page 6, line 43, at the end, add "But the provisions of this Clause shall not apply to any alien who is furnished with a passport by the Foreign Office of his own country."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there added."

SIR WILLIAM HARCOURT said, it would not be safe to adopt the Amendment of the hon. Member, because it was the case that in some countries passports were granted without much inquiry being made into the character of the applicant. It was well known that when passports were asked for they were granted almost as a matter of course; and, that being so, to make the mere possession of one sufficient to exempt a foreigner from the operation of the clause was a proposal which Her Majesty's Government could not entertain, inasmuch as it would defeat the object they had in view. But surely the hon. Member could not believe that the Government had any desire to thwart or embarrass the very access of foreigners to this country or to Ireland. Such a thing would be utterly opposed to all reason and principle, and the idea was therefore unworthy of a moment's consideration. Her Majesty's Government were extremely averse to using the powers of the Alien Act except under the pressure of great danger and necessity. Her Majesty's Government had every reason to abstain from using that Act in an arbitrary manner. Such a course would place them on bad terms with Foreign States whose friendship they wished to preserve; and therefore he regarded public opinion both at home and abroad as affording a much better security for the just administration of the Alien Act than the adoption of any Amendment of the kind put forward by the hon. Member for Galway. He repeated that it would be unsafe to adopt this Amendment, because an alien might have obtained a passport six months before he became a member of a secret society; and yet, according to the Amendment, the possession of it was to be held as conclusive proof of his *bona fides.*

MR. T. P. O'CONNOR said, he saw the force of what the right hon. and learned Gentleman had said, and feared that the acceptance of the Amendment would lead to the results indicated.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 6, line 43, at the end, add "Provided, That no order for the removal of an alien shall be made except upon information in writing and on oath."—(*Colonel the O'Gorman Mahon.*)

Question proposed, "That those words be there added."

The CHAIRMAN said, as he read this Amendment, it was in substance the same as that which the Committee had just discussed and, at the request of the hon. and learned Member for Roscommon (Dr. Commins), allowed to be withdrawn.

Sir WILLIAM HARCOURT said, he was very anxious to meet any Amendment of the hon. and gallant Gentleman with the consideration due to it; but, as the Chairman had pointed out, this matter had already been discussed. The truth was the information was not the basis of the order. The action was that of the Lord Lieutenant, and it was entirely inconsistent with the whole construction of the Act to convert it into a judicial proceeding. It was not a judicial but an Executive proceeding to be taken, if the Lord Lieutenant thought fit, immediately upon the information which might be conveyed to him; and therefore he ventured to point out that it was inconsistent with the Act to require that the information should be upon oath before the Judges.

Amendment, by leave, *withdrawn.*

The CHAIRMAN said, he had given as much attention as possible to the three pages of Amendments which had been put down to this clause, and with regard to the three next in order upon the Paper, he must point out that they were inconsistent with the principles and machinery of the Act, and could not therefore be put.

Mr. PARNELL understood from this ruling that it was impossible for the Committee to alter the provisions of the Alien Act of 1848, by adding Provisoes at the end of this clause.

The CHAIRMAN said, that was not by any means the case. He had simply explained why the Amendments referred to could not be moved. The hon. Member could move a Proviso that was not contradictory of the principle of the Act.

Mr. PARNELL confessed he had in view the amendment of the Act of 1848, and was at a loss to see in what way that was to be done upon the ruling of the Chairman.

Sir WILLIAM HARCOURT said, although the hon. Member for the City of Cork could propose an Amendment to the Act by way of Proviso to the clause, he could not, of course, do it in such a form as would establish two jurisdictions for the purpose of doing the same thing. It would be impossible to give this jurisdiction to the Justices, because that, as he had already shown, would be substituting judicial for the Executive action which the Bill contemplated.

The CHAIRMAN said, he must point out that there was no Amendment before the Committee.

Mr. SEXTON said, it was only reasonable to conclude that an alien who had been resident in the country for a year was not a person dangerous to the Realm. No foreigner could reside here for a year, or even for a week, without attracting the attention of the police and coming under the notice of the Government. That was especially true with regard to Ireland, where an Act was in operation putting the power of summary arrest in the hands of the Lord Lieutenant of any person whose freedom was dangerous to the public peace. He repeated that no stranger could set his foot in any part of Ireland and remain there 24 hours without having the inquisitiveness of the police exercised upon him—no person could alight at a railway station, even in the daytime, without finding himself the subject of suspicion on the part of the police. Therefore, he contended that in a country so efficiently policed, an alien who had resided there for a year could not reasonably be regarded as a person dangerous to peace and tranquillity. A person of this class would probably have gone into some business and have otherwise given hostages to society for his good behaviour. For these reasons, he begged to move the Amendment standing in his name.

Amendment proposed,

In page 6, line 43, at the end, add "Provided, That nothing in the said Act contained shall affect any alien who shall have been residing within this realm for one year next before the passing of this Act."—(*Mr. Sexton.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT pointed out that if the Amendment were adopted a man who might frequently have been in the hands of the police would not come under the operation of the clause if he had resided in Ireland during the year preceding the passing of the Act. Her Majesty's Government could not, therefore, agree to this Amendment. From his own knowledge of the state of Ireland he was aware that there were persons who had been engaged upon missions from abroad for more than two years, now resident in the country, and it was for those persons that the clause was specially intended. The hon. Member said these aliens might possibly be engaged in business; but he (Sir William Harcourt) feared that they were engaged in the very kind of business that the Government wanted to get rid of, and that the short period named in the Amendment of the hon. Member would not afford any satisfactory guarantee of their good behaviour. Now, when the Act of 1848 was passed, the considerations to which the hon. Member had referred were quite as strong as they were at present, and the requisition then was a residence of three years for the purpose of exemption. It seemed to him, having regard to the state of things in Ireland, that three years was not too long a period to take at the present time, because the Government were aware that disturbances, due to alien influences, had been in operation for two years and more. It was difficult to understand how anyone could think that the Government wished to disturb men engaged in honest occupations in Ireland, or anywhere else; the idea was incredible that any Government, in the face of the world, would desire to interfere with the lawful occupation of aliens.

Mr. PARNELL said, Irish Members feared that the re-enactment of the Alien Act would be productive of great hardship. Not only in England, but in Ireland, there were large numbers of aliens of respectable character and good conduct, who had from time to time returned from America and become the holders of small farms and businesses throughout the country. These men had advanced opinions upon political questions, on the Land Laws for instance, as well as upon self-government and other matters; and they were, in consequence, very objectionable to the local landlords, and in many cases to the local police, who were under the control of the local landlords. Now, in the administration of the Act, the Lord Lieutenant must be guided more or less by the information which he received from the Constabulary; and it followed that it would often be difficult for him to resist the making of an order with regard to an alien of the class mentioned, if he were to receive a report from the Constabulary that he was a person of troublesome character and that the magistrates of the district wished to get rid of him. And it would happen, in consequence, that many such men would be removed, have their homes broken up, and their businesses ruined simply because of their opinions. They would suffer for their opinions upon the political questions of the day. It might be said that aliens coming to this country had no right to take part in these matters; but, as regarded the expression of opinion, he did not see why they should not take the part they did, particularly those who, having been in the position of exiles, had returned to their own country and intended to live there as peaceable citizens for the rest of their days. The class of people he referred to formed a valuable element in the Irish population, for during their sojourn in America they had acquired all the energy and aptitude in business which distinguished the citizens of the United States; and they formed, in a manner, centres of good example in work and other matters, which were very desirable to be imported into a country where, unfortunately, the qualities he had mentioned did not prevail, so far as a large portion of the population was concerned. If this clause were not amended, the Lord Lieutenant would find it almost impossible to resist the appeals made to him to deport these families in large numbers, and great hardship would consequently arise. The right hon. and learned Gentleman, when he said the Government knew that some aliens had been engaged in influencing the disturbances in Ireland for two years and more, was, no doubt, speaking upon good authority, and from sources of information superior than those which he (Mr. Parnell) possessed. But even if that were so, and it were necessary to remove those persons, the Act ought not to be applied to the large masses of people who had returned to Ireland and intended to live there, who were certainly peaceable and industrious citizens, but who had rendered themselves obnoxious to the local authorities simply on account of their political opinions. These were the motives which had prompted his hon. Friend the Member for Sligo (Mr. Sexton) to bring forward this Amendment. It was not done for the purpose of limiting the clause, or delaying the Bill; but for the purpose of securing that hardship should not be inflicted upon a large and respectable class of people in Ireland, whose return to their native country it was desirable to encourage.

Sir WILLIAM HARCOURT pointed out that the argument of the hon. Member for the City of Cork hardly applied to the Amendment before the Committee, which simply dealt with the length of residence which would exempt an alien from the operation of the Act. The Amendment proposed—

> "That nothing in the said Act contained shall affect any alien who shall have been residing within the realm for one year next before the passing of this Act."

But the argument of the hon. Member for the City of Cork would be equally applicable were the period of residence fixed at three years. Now, he had as much sympathy for the class of persons mentioned as the hon. Member for the City of Cork himself. No one more than he felt the desirability of preserving a class of men who should become the centres of industry and good feeling in a country where there existed, unhappily, too much poverty and want of success in trade; and nothing could be farther from the intention of the Government, or of any Government, to disturb such men when they returned from abroad and resettled in the country of their birth. But if there were such persons in Ireland, were they not already protected by the Bill? Undoubtedly, if there were any disposition on the part of the police to traduce them to the local authorities, or any disposition on the part of those authorities to act harshly towards them, they could go before the Privy Council; and if it were made clear on the evidence of themselves, or their friends, that false accusations had been made against them, the conduct of the authors of those accusations would be strongly reprobated. Therefore, he said, the class referred to by the hon. Member for the City of Cork were secure under this Act.

Mr. T. P. O'CONNOR thanked the right hon. and learned Gentleman for the sympathy he had expressed towards a deserving class of persons, and for the language in which he expressed his approbation of the generosity of the Irish people in America who had sent home money to the relatives they had left behind, and which it was to be supposed would add to the prosperity of the country. Now, on the latter point he could not agree with him, because the money sent over from Ireland to America during the last two or three years had almost entirely been spent in paying the rack-rent extorted from the tenantry by Irish landlords. As a matter of fact, the only money sent from Ireland to America during the time named had been for the purpose of putting down a system of plunder on the part of landlords, which was incompatible with anything like prosperity in Ireland. The right hon. and learned Gentleman had said that the arguments of the hon. Member for the City of Cork would apply to the term of three years' residence as well as to the shorter term advocated by the hon. Member for Sligo; and the right hon. and learned Gentleman said also that the class of persons in question, who had been three years in the country and established a regular domicile or business, were protected already under the Act. But surely the right hon. and learned Gentleman must be acquainted with the fact that the returns of such persons to Ireland took place, not alone for the period of a year, but for two or three months. That being so, a large number of them could not be included within the period named in the Amendment before the Committee. Of course, the right hon. and learned Gentleman was not acquainted with the details of rural life in Ireland; but this was the real position of these returned men. They came from a country where there was absolute liberty of the subject, and where they were in the habit of expressing their opinions with perfect freedom, to a country where the powers of the police bordered on omnipotence. They were, in many cases, the centres of Constitutional and legal agitation, and he could tell the right hon. and learned Gentleman that nothing would contribute more to the success of the Irish cause, by means of orderly and regular self-organization, than a large importation of these well-trained Irish-Americans into Ireland. But these men, accustomed to speak with the freedom of the country in which they had lived, became, on their return, the immediate mark of the police in their district. The right hon. and learned Gentleman said that these marked men had the right of appeal to the Privy Council. But let the Committee consider the position in which the Privy Council would be placed, by remembering that the action against them was taken, first, by the police, and then by the Lord Lieutenant. The Court of Appeal, to which they were referred by the Home Secretary, would, in affording the protection he had spoken of, have to overthrow both the action of the police and the action of the Lord Lieutenant. In order to see the difficulty which stood in the way of an appeal of this kind on the part of an aggrieved alien, the right hon. and learned Gentleman had only to suppose himself, for a moment, to be a Member of the Irish Privy Council, assembled to consider the action of the Lord Lieutenant. The right hon. and learned Gentleman, under such circumstances, would probably say that the case of the individual was a hard one; he appeared to have saved a little money in America and had invested it in a farm in Ireland; he was, no doubt, a peaceable man; but in cases of the kind, the interest of the State must be considered, and the authority of the Lord Lieutenant supported. Accordingly, he considered that the Privy Council in Ireland would be a Court for sanctioning, and not overthrowing, the decisions of the Lord Lieutenant; and, therefore, he was quite unable to see why the right hon. and learned Gentleman should take so firm a stand in resisting the Amendment of the hon. Member for Sligo. The right hon. and learned Gentleman seemed entirely to have forgotten that these aliens could be reached under Clause 9 of the Bill, as well as by the clause then under the consideration of the Committee, inasmuch as they would come under the head of strangers. He trusted the right hon. and learned Gentleman would give the Amendment further consideration with a view to its adoption.

SIR WILLIAM HARCOURT said, he was extremely anxious, on any point, where it could be safely done, to mitigate the severity of this Act. He had, however, an objection to doing these things off-hand; but he would consult the Irish Government as to whether or not the period of three years could be safely shortened in the case of the persons whose claim to exemption had been put forward by hon. Members opposite. If the hon. Member for Sligo was satisfied with that assurance, he would suggest that he should withdraw his Amendment.

MR. SEXTON said, he was disposed to adopt the suggestion of the right hon. and learned Gentleman; and he took the opportunity of pointing out that he would not have pressed his Amendment on the attention of the Committee had it been the case that proceedings against aliens were to be taken in any public form, and upon sworn information.

MR. WARTON said, that the 9th clause, referred to in the course of this discussion, would not be sufficient to deal with the class of persons intended to be reached by the clause.

Amendment, by leave, *withdrawn.*

MR. PARNELL said, he had an Amendment to propose which had reference to the treatment of persons who might be imprisoned under the provisions of this section, which he hoped would also meet with the favourable consideration of the right hon. and learned Gentleman. There were two kinds of imprisonment that an alien might be exposed to. There was the imprisonment which might be inflicted on him until he could be removed from the Kingdom; and, secondly, there was the imprisonment which might be inflicted on him as a misdemeanant, in consequence of his being convicted of being found in the country; and he submitted that both these kinds of imprisonment should come under the Proviso he was about to move—namely, that the severity of the treatment should not exceed that inflicted under the 67th section of "The Prisons Act of 1865." He might mention that the treatment in the first division was sufficiently severe. A person subject to it was only allowed two hours' exercise out of the 24, and, moreover, was not allowed to converse with his fellow-prisoners. He had seen that during his experience at Kilmainham. There were several persons in the first division whose condition was most miserable, from the fact that they were only permitted to walk round their court for two hours a-day by themselves, the warders always watching them. He begged to move the Amendment next upon the Paper.

Amendment proposed,

In page 6, line 43, at the end, add "Provided, That any alien imprisoned under the provisions of the said Act shall be treated during such imprisonment as a misdemeanant of the first division, within the meaning of section sixty-seven of the Prisons Act, 1865."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT said, he was quite disposed to consider the matter of the treatment of aliens under the Act in the most favourable sense, because the object which Her Majesty's Government had in this portion of the Bill was not punishment—it was security of removal. It was not contemplated by any part of the Act that there should be any actual detention in prison, except so far as it was necessary to carry out the purpose of the Act, which was speedy removal. He had not had an opportunity of carefully considering the bearing of the Amendment upon the various matters that would be affected by it; but he was in a position to assure the hon. Member for the City of Cork that he looked upon the question very much from the same point of view as he did, and was willing to consider the best way in which his suggestion could be carried out.

Amendment, by leave, *withdrawn.*

Mr. PARNELL said, he thought it would be right to give an alien, except in circumstances of an extremely grave character, some time to make the arrangements necessary for his departure. There could be no doubt that loss and injury would result to any alien who was compelled in a summary manner to leave the country. They had heard of the exceedingly summary way in which some Foreign Governments acted in matters of this kind, by ordering persons to cross the Frontier in 24 hours; but as he was sure this was not a precedent which the right hon. and learned Gentleman would wish to follow, he had named 30 days as the limit within which the departure of an alien should take place under this clause, and he trusted his proposal would be acceded to by the Government.

Amendment proposed,

In page 6, line 43, at the end, add "Provided, That the time limited for the departure of any alien in any order made under the said Act shall not be less than thirty days." — (*Mr. Parnell.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT said, he agreed that the Act should not be carried out so as to inflict unnecessary hardship upon individuals; and, no doubt, due consideration would be shown in cases where a business was being carried on. But it might be remembered that one class of persons to whom the Alien Act would be applied would be men who were coming over to carry out some dangerous design, and the object was to get rid of them, so to speak, before they came here. There might be men on the way from some foreign country, whose object was to take part in a forcible resistance to the law, in armed insurrection, or in plots of various kinds. This clause and other parts of the Bill were intended to deal with persons of that kind, and hon. Members would see that if a period of 30 days were adopted in the sense proposed by the hon. Member, that period would afford ample opportunity for carrying out the object they had in view. This would be entirely inconsistent with what the Government contemplated; and although there might be cases susceptible of milder treatment, where it would be the duty and interest of the Government to show consideration of the kind indicated, yet it was quite plain that there might be others where no such considerations could be allowed to weigh. For these reasons he was unable to accept the Amendment of the hon. Member for the City of Cork.

Mr. SEXTON said, the right hon. and learned Gentleman was rather in the habit of judging whole questions by extreme cases. He had just asked the Committee to consider in what cases it would be most likely that this clause would be put into operation, and then he said it would most likely be put in operation, not only against men who were engaged in no business, but against persons arriving in the country whom it was desirable to send back again. The right hon. and learned Gentleman had referred to two classes of persons; but there was a third class who would be exposed to the operation of the Act—namely, those who had already established themselves by residing in the country for a considerable time. He wished to know whether the force or scope of the clause was to be governed entirely by the extreme cases put forward by the right hon. and learned Gentleman, or whether the Committee would make any provision whatever for the protection of persons of a different class? The Committee would observe that no time was specified in the Alien Act as having to expire between the issue of the order and the execution of it; and it would be, therefore, quite within the power of the Lord Lieutenant in Ireland, or of the right hon. and learned Gentleman in England, to issue an order in *The Dublin Gazette* for a person to leave the country within an hour of the appearance of such order. Now, having regard to the fact that there was a third class besides the two classes of persons referred to by the right hon. and learned Gentleman, who might suffer the greatest hardship by an order being made for their sudden departure, he would suggest that the right hon. and learned Gentleman should consider whether 30 days, or such lesser time as he might deem fit, should not be allowed to elapse between the issue and execution of an order for removal unless it appeared to the Lord Lieutenant, who should so state it in the order that the immediate execution of the order was essential to the preservation of peace and tranquillity in Ireland. He suggested that this compromise would allow the Home Secretary or the Viceroy to apply the power of instant removal to any dangerous alien, while, at the same time, it would allow time to elapse in the case of aliens residing in the country who could not reasonably be supposed to be very dangerous to dispose of their property or make such other arrangements as were most beneficial to their interests. The Committee would understand that some provision of the kind was most necessary in the case of persons who had established themselves in farms or businesses, their interests in which could not with advantage be disposed of at a moment's notice. He trusted the right hon. and learned Gentleman would see his way to adopt the suggestion he had made.

Mr. DILLON said, he thought it might be provided that except in the case of those aliens who had arrived in the country within one month of the passing of the Act, 10 days, at least, should be given for winding up the affairs of aliens ordered to leave.

Sir WILLIAM HARCOURT said, he did not like to decline to consider any suggestion that was offered in a reasonable and moderate spirit; but he would point out to hon. Members opposite that it was highly improbable that any alien whom it would be safe to allow to remain for a month would be one whom the Government would be disposed to deport. He was, therefore, afraid that what the hon. Member had suggested would not be any security at all, because it would only vary the order. Of course, the circumstances of different cases must vary, and if the Lord Lieutenant thought a man might be safely granted a few days to prepare to go away, there was no reason to induce him to do otherwise than grant it. But short notices of departure were not so infrequent as might be supposed. He would take the case of Ambassadors, for instance, who were sometimes ordered to leave the countries where they were resident within 24 hours. Such cases had occurred where the animosity existing between two nations was very violent, and the relations between them much strained. Napoleon once ordered the English Ambassador away from Paris at very short notice. With regard to the suggestion of the hon. Member for Tipperary (Mr. Dillon), an alien might have been long resident in the Kingdom without anyone suspecting that he was a dangerous person. He might be a member of one of the secret societies at which the Government were aiming; but it was the essence of those societies that until some clue was obtained they could never tell what they were doing. It might be that a person, otherwise harmless, was an extremely dangerous character in this sense; and it would, therefore, be dangerous to allow him to remain for 10 days or a fortnight in the country. However, he was quite willing to consider the suggestions which had been offered from the other side of the House, and to see whether, consistently with the object of the Government, anything could be done in the direction indicated.

Mr. GREGORY said, that the Act of 1848 itself met the point which had now been raised, because under it, if an alien could urge any reasonable ground why he should be allowed to remain some time longer in the country, he had a right to represent it immediately to the Privy Council, who would advise Her Majesty on the matter without reference to what had taken place before the Secretary of State.

Mr. DILLON said, he was, of course, aware that there were two classes of aliens that the Government wished to reach. The right hon. and learned Gentleman, at an earlier period of this discussion, had alluded to one of these as persons who went about the country proclaiming that they were aliens and that they could not be touched. There were men in Ireland who had done that. But it must be remembered that they acted quite openly, and were engaged in what, from the point of view of hon. Members on those Benches, was legitimate agitation. When the right hon. and learned Gentleman referred to these persons he touched a large class, in which he (Mr. Dillon) confessed he had considerable interest. And the reason why he pressed this suggestion on the right hon. and learned Gentleman was because he had stated that the Act would bear upon that class of aliens. He thought the arguments of the right hon. and learned Gentleman had not touched the case made out in favour of this class of persons. But supposing it were discovered that one of this class of persons was making himself obnoxious to the local magistrates. Surely, with all their enormous powers, the police in Ireland could keep their eyes upon him both by day and night as the best means of insuring that he should not do any mischief while he was winding up his affairs previous to being kicked out of the country. With reference to the argument of the hon. Member for East Sussex (Mr. Gregory), he would point out that although the case of an alien might be brought before the Privy Council, the individual could be kept in prison until the decision appealed against had been modified by the Privy Council, and of course a man was not in a position to wind up his affairs when undergoing imprisonment for an indefinite period.

Mr. LABOUCHERE said, he thought the right hon. and learned Gentleman the Home Secretary might safely make a concession in favour of persons suddenly called upon to wind up their affairs, because, practically, he had all the powers he wanted for the purpose of dealing with dangerous characters without the present clause. For his own part, he thought it would be better to put people in prison, who were engaged in dynamite operations, than to send them out of the country; whereas in the case of persons engaged in business in Ireland, if it became necessary to send them away they should have some time allowed them for winding-up their affairs, and therefore he thought that some words to this effect should be inserted in the clause. The right hon. and learned Gentleman, who had said that the Amendment should be fairly considered, would see that a wide difference separated the class of persons engaged in dynamite operations from those who were engaged in business.

Mr. J. LOWTHER said, what he understood was that the Government desired power to call upon any person whose conduct appeared dangerous to the safety of the Realm to leave the country with all possible despatch. If the Government were to be intrusted with these powers, they surely could be intrusted to allow a person a reasonable interval in which to make his exit; but when they were asked to allow a person 30 days in which to leave, or, in other words, to mature their nefarious designs, they were simply making the Alien Act an absolute farce.

Amendment, by leave, *withdrawn.*

Mr. PARNELL said, the Amendment he had to move, in page 6, line 43, provided an alternative form of appeal of a somewhat definite character, and at a different stage of the proceedings to that provided by the Act of 1848, where a person was permitted to appeal to the Privy Council against the Lord Lieutenant to show cause why the order of the Lord Lieutenant should not be countermanded, or the time extended for his removal. His Proviso sought—

> "That an order shall not be made under the said Act until the prescribed notice has been given to the person against whom such order is directed, who may thereupon before such order is made and at a time to be fixed in such notice appear personally or by counsel or solicitor before the Secretary of State or the

Lord Lieutenant, as the case may be; and, if such person shall satisfy the Secretary of State or the Lord Lieutenant that his presence in the realm is not dangerous to the peace or tranquillity of the realm, or any part of it, no order under the said Act shall be made against such person."

Under the Act of 1848, a person whose removal had been ordered, as he had said, had the power of appeal against that order to the Privy Council; but in the meanwhile he might be imprisoned, or he might be sent out of the country. There was also another distinction which was provided in the alternative method of appeal that he proposed. It was very fair on the face of it that a person whose removal was ordered should have the right of selecting whether he should make his appeal to the person who ordered his removal, or to another body, such as the Privy Council. The person who had ordered his removal, be it the Lord Lieutenant or the Secretary of State, would have all the information before him as to why the removal was ordered. The Privy Council might not have such information, and they might be in the same position of judging as to the merits of a case as the person who had ordered the removal. It seemed exceedingly probable, to his mind, that in many cases where removal was ordered the person whose removal was ordered would be able to satisfy the authorities that no just cause existed for such order. Why not give the man the power of appealing to the Lord Lieutenant against his removal, and to satisfy the Lord Lieutenant, or whatever the authority might be, that there existed no cause for such order; and, in the words of the Amendment,

> "That his presence in the realm is not dangerous to the peace or tranquillity of the realm, or any part of it."

He thought this was a reasonable Amendment, and he trusted the Government would see their way to accept it.

Amendment proposed,

In page 6, line 43, at end, add—"Provided, That an order shall not be made under the said Act until the prescribed notice has been given to the person against whom such order is directed, who may thereupon before such order is made and at a time to be fixed in such notice appear personally or by counsel or solicitor before the Secretary of State or the Lord Lieutenant, as the case may be; and, if such person shall satisfy the Secretary of State or the Lord Lieutenant that his presence in the realm is not dangerous to the peace or tranquillity of the realm, or any part of it, no order under the said Act shall be made against such person."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

SIR WILLIAM HARCOURT said, he must point out that in the form in which the hon. Member had moved the Amendment there was not an alternative appeal provided, because, in point of fact, it made this the only form in which an order could be granted; and, therefore, the manner of form was inconsistent with the Act. That, however, was a technical objection, because it was capable of being removed by altering the form of the Amendment. What the hon. Member desired, as he understood, was that it should not be necessary to go through all the operation of appealing to the Privy Council—that, in point of fact, a man might satisfy the Secretary of State himself that he was unjustly detained, and that he should not be required to wait until the Privy Council could meet to decide upon his case; that he might, if he could, be able to satisfy immediately the Secretary of State that the mistake that had been made, that the information upon which the order of removal had been made, was not well founded, and that he ought at once to be discharged. The hon. Gentleman would observe, if he would look at the 3rd clause of the Alien Act, that that was really provided for. If a man was arrested, all he had got to do was to lodge an appeal to the Privy Council. That at once stayed all proceedings. It stayed the warrant for his removal, and it stayed all action upon the warrant, and it brought the alleged alien under the cognizance of the Lord Lieutenant or the Secretary of State. Of course, the appeal to the Privy Council practically set forth the cause of the person's arrest. It practically brought under notice why further time should be given an alien before his removal; why he should be discharged, and why he should not be deported. The hon. Gentleman had said that the man had to be kept in custody until the determination of the Privy Council, unless, in the meantime, the Secretary of State or the Lord Lieutenant should consent to an order for his release. As he (Sir William Harcourt) read the Act, a man need not wait for the determination of the Privy Council. He might be discharged by the Secretary of State himself before any action was taken by the Privy Council. The object which the hon. Member had in view was really attained by the Act itself, because it was there provided that he might bring his case before the Secretary of State, and that the Secretary of State might discharge him before the Privy Council was brought into operation. No one could suppose that the Secretary of State or the Lord Lieutenant, if they thought a man could establish his innocence, would desire that the appeal should go to the Privy Council; but they would at once order his discharge. He really did think that the object of the hon. Gentleman was attained without the Amendment, and therefore he hoped he would not press his proposal.

Mr. PARNELL said, his object was not entirely gained, although he confessed that he had not noticed the Proviso which the right hon. and learned Gentleman had pointed out. His object was partly gained by the Proviso which the Home Secretary had named. What he wished to prevent was the imprisonment of a person pending the appeal, and the 3rd section of the Alien Act did not quite get rid of that necessity. A person could still be imprisoned, and although it was not desirable to go back to the question of bail, he could not help thinking it would have been desirable to have given Justices the power of taking bail in cases of aliens. As a matter of justice, bail ought to be accepted pending the investigation of the case by the Lord Lieutenant or the Privy Council, and pending the statement upon such investigation that would be made by the persons whose removal was ordered. It did seem a very harsh provision that where they found an alien whose removal was ordered, perhaps at a moment's notice, and without an explanation, he should be thrown into prison and kept there pending the result of the appeal he might make to the Judicial Committee of the Privy Council, or to the Lord Lieutenant, which, as the right hon. and learned Gentleman had pointed out, could take place. Some Proviso should be inserted in the Bill in which, in certain cases, bail might be taken by the magistrates. It did not appear to him that that would be overriding the authority of the Lord Lieutenant at all. There was absolutely no provision commanding the Lord Lieutenant to take bail, and the only way in which bail could be taken was a very cumbrous and costly one—namely, by means of an appeal to the Queen's Bench. They all knew that in case of an application being made to the Queen's Bench a month might very easily elapse before the application would be decided. He had had some little experience of applications to the Queen's Bench. First of all a provisional order would be made, and then that provisional order would have to come up for confirmation before a person could be released. This procedure took up a very considerable time, and, at the very least, a month would intervene before a person could be released. The Government might give a stipendiary magistrate power to hear applications for bail by persons who considered they had a reasonable case against the order of the Lord Lieutenant, and that such magistrate might be entitled to admit a man to bail without resorting to the very summary manner of throwing a man into prison.

Sir WILLIAM HARCOURT said, it must be remembered that there were cases in which bail could not safely be taken, and, moreover, the hon. Gentleman seemed to imagine that when an application was made to the Court of Queen's Bench it was made to the whole Court. He did not read the Act in that way. In fact, an application to the Court of Queen's Bench would be as easy and as rapid as one to any Judges or magistrates. There could be nothing more rapid than an application to a Judge, because it would be made in Chambers, and a Judge would always be accessible. There was no doubt that an application to the Queen's Bench for bail could be made quite as rapid as the case to which the hon. Gentleman had referred. The Proviso was certainly ample in cases where bail could really be taken. It would not be safe to provide that there should be bail in every instance.

Amendment, by leave, *withdrawn.*

The CHAIRMAN: The next Amendment also stands in the name of the hon. Member for the City of Cork (Mr. Parnell), and is to add at the end of the clause—

"Provided, That if any alien against whom any order under the said Act shall be made shall, at any time within the period limited for his departure in such order, give security by entering into a recognisance before a justice of the peace in such amount as to such justice may seem reasonable, with sureties to keep the peace and to be of good behaviour while within the realm, such order shall thereupon become void and of no effect."

The Amendment is, however, inconsistent with the power given to the Judges, and, therefore, cannot be put.

MR. PARNELL moved to add to the clause the following sub-section:—

"Any person who shall suffer any loss or injury in consequence of an order made against him under the said Act may, within one year after the date of such order, proceed by action against the Secretary of State who may have made such order, or in case the order was made by the Lord Lieutenant, then against the Chief Secretary to the Lord Lieutenant, and if, on the hearing of such action, such person shall establish that at the date of such order he was not an alien, or that his presence within the realm was not dangerous to the peace or tranquillity of the realm, or any part of it, he shall be entitled to recover in such an action such damages as he may be proved to have sustained in consequence of such order, notwithstanding anything contained in the said Act or this Act, such person shall be entitled to enter and remain in this realm for the purpose only of giving evidence on the hearing of any such action."

This sub-section brought out the point which was raised in the preliminary discussion on the Amendment of his hon. and learned Friend the Member for Roscommon (Dr. Commins). In that discussion it was stated that if any person not being an alien was wrongfully removed he should have a right of action against the Secretary of State. He apprehended the right hon. and learned Gentleman would have no objection to the substance of this sub-section, and that he would be willing to make the point clear. It was exceedingly important that there should be no mistake in this matter, because as they had not heard that any person removed under the authority of the Alien Act of 1840, and under any of the preceding Acts, had ever brought an action against the Home Secretary, it might happen that the Judges would hold upon the point of law that the wording of the Act released the authorities named from all responsibility, and that the mere statement that a person was an alien would be sufficient to entitle his legal removal. There was no appeal provided as to questions of fact, except the appeal to the Judicial Committee of the Privy Council. The right hon. and learned Gentleman had stated that there was an appeal to the Court of Queen's Bench or to one of the Judges in Chambers. If there was such an appeal against imprisonment, that appeal only extended to the preliminary imprisonment which might be inflicted pending the removal of the person, and it did not extend to the justice of the removal itself; and, as far as could be seen, there was not in this Act expressly any appeal as regarded the unlawful removal of any person. It was intimated at the beginning of the proceedings that a Proviso would be brought up showing what ought to be the principle on which the Judges would entertain these applications for bail before the discharge from imprisonment; but this point was an entirely different one, as the right hon. and learned Gentleman would no doubt see. It dealt with the unlawfulness and justice of the forcible removal of a person beyond the Kingdom; and, so far as he could see, unless it was quite certain that the persons so removed would have right of action at Common Law against the Home Secretary, if they were able to prove they were not aliens, there was, practically, no remedy provided by this Act. Under these circumstances, he thought the right hon. and learned Gentleman would agree to the substance of this section, which legally defined that a person wrongfully removed should have his remedy by an action at law, and it left the question free of all doubt as to any interpretation which might be placed upon the Act of 1848 by the Judges.

Amendment proposed,

In page 6, line 43, at end, add the following sub-section:—"Any person who shall suffer any loss or injury in consequence of an order made against him under the said Act may, within one year after the date of such order, proceed by action against the Secretary of State who may have made such order, or in case the order was made by the Lord Lieutenant, then against the Chief Secretary to the Lord Lieutenant, and if, on the hearing of such action, such person shall establish that, at the date of such order he was not an alien, or that his presence within the realm was not dangerous to the peace or tranquillity of the realm, or any part of it, he shall be entitled to recover in such action such damages as he may be proved to have sustained in consequence of such order, notwithstanding anything contained in the said Act or this Act, such person shall be entitled to enter and remain in this realm for the purpose only of giving evidence on the hearing of any such action."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, two classes of persons would come under the operation of this Amendment—namely, persons who were not aliens, and persons who, being aliens, were anxious to prove that they were not dangerous to the peace and tranquillity of the Realm. Let them, in the first place, consider the case of persons who were arrested as aliens, but who, as a matter of fact, were not aliens. They would be prosecuted on the basis that they were aliens; but if they could show they were not aliens, they would be entitled to, and would obtain, their acquittal. The proceedings under the 2nd section of the Act, under which such persons would be prosecuted, would be for misdemeanour, and must necessarily come before a jury. Now, let them take the case of a man who had been simply arrested for disobeying the order for his removal from the country. In his case there was abundant opportunity of investigation. What was the duty of the authorities when they arrested such a man? Whether the man was in custody or not, he had the right of appeal to the Privy Council, by whom every circumstance connected with his status and arrest would be investigated. It would be a perfectly good reason for the person so dealt with to allege before the Privy Council that he was not an alien—nothing could be more easy for the man to show the place to which he belonged and the circumstances connected with his status, and the Privy Council would have the power of deciding either in favour of the order of the Lord Lieutenant or against it. It would also be open to the man to bring forward any circumstance to show that he was not a person dangerous to the peace and tranquillity of the Realm; and if he did that, it would be a perfectly good reason why the order made against him should be modified—why the time for his removal should be extended, or why he should be discharged. There could be no possible injustice done under the clause. It would be the duty of the messenger who arrested the man to bring the appeal, if the man made one, under the notice of the Lord Lieutenant. The Lord Lieutenant would bring the matter under the notice of the Privy Council, and no time would be lost. There was plenty of machinery provided for the hearing of the person, either himself or by counsel. Under the ordinary law, in such a case as suggested by the hon. Member (Mr. Parnell), it would be quite open for a person who was maliciously charged, or without sufficient reason, or who had been dealt with illegally, to bring an action against the person who so dealt with him. It was, however, quite evident that this Act must be a protection to those who acted under it, provided they acted *bonâ fide.* It might possibly happen that when the person was had up as an alien the facts had been suppressed; and if, after a most perfect inquiry and anxious investigation, it appeared that a wrong conclusion had been arrived at as to the character of the man arrested, it would be inconceivable that any action could be permitted under such circumstances.

MR. SEXTON said, the hon. and learned Gentleman (Mr. Porter) had stated that the servants of the law must be protected so long as they acted *bonâ fide* and without malice. It was necessary that those who were engaged in the administration of this Act should act with proper care and discretion. In fact, the hon. and learned Gentleman had said as much, because he had said that if the authorities were guilty of a breach of duty an action at law would lie against them. He (Mr. Sexton) thought it was incumbent on the Government to accept the Amendment of the hon. Member for the City of Cork (Mr. Parnell), because all the hon. Gentleman asked was that if there be what was really a breach of duty, an action should lie at law against the Secretary of State, or against the Chief Secretary for Ireland; his hon. Friend desired that if a person who was either not an alien, or who, being an alien, was not a person whose residence here was not dangerous to the peace and tranquillity of the Realm, was deported from Ireland, he should be entitled to an action against the authorities. Considering the secret nature of the information which the Lord Lieutenant was to receive, considering the facilities at the disposal of the authorities for learning the truth, a person who was not an alien, or who, being an alien, was not dangerous to the peace of the Realm, ought to have the right of action if he were improperly arrested. The hon. and learned Gentleman had laid stress on the fact that the person against whom the order for deportation was made was entitled to a hearing before the Privy Council. It had been stated that there was no proof that that would be a public hearing—it might be a Star Chamber hearing. Then, again, the statement was alleged against a man that he was an alien, and the onus of proof that he was not an alien was thrown upon the accused. How was the man to prove he was not an alien? If, when an order was served upon him, he was thrown into prison, how was he to get evidence, even if he could, under other circumstances, get it, before he was brought before the Privy Council, to prove he was not an alien? If he had lived in America for many years previously, how was he to communicate with Washington? How was the man, in the one or two days which would transpire before he was brought before the Privy Council, to get evidence to prove a negative? It was quite impossible for the man to prove a negative. The statement would be placed in his hands that he was an alien, and what he had to prove was that he never took out letters of naturalization in another country. As the Act stood, the hearing before the Privy Council was a perfect farce. The man might be the son of an Irishman who went to America as a child, and the accused's citizenship of the United States might depend upon the fact whether his father, many years ago, took out letters of naturalization. How in the world was a man arrested and thrown into gaol in Ireland to prove, in 24 hours, whether or not his father, 15 or 20 years before, took out letters of naturalization? The Solicitor General for Ireland (Mr. Porter) had said that if a man were imprisoned in the first place, he would be imprisoned because he had not obeyed the order of the Lord Lieutenant; and the hon. and learned Gentleman contended that upon the hearing of the charge of disobedience to the order of the Lord Lieutenant, the question whether the man was an alien or not, or whether, being an alien, his presence was dangerous to the peace and tranquillity of the Realm, would arise. It appeared to him (Mr. Sexton) that all the jury would have to do would be to consider whether the order had been disobeyed, and whether the man brought before them was the person referred to in the order for removal. The mere production of the order in *The Dublin Gazette*, and proof that the prisoner was the man there referred to, would be sufficient for the jury. It was not at all essential to prove to the jury that the prisoner was an alien. Under all the circumstances, he maintained that the prisoner was entitled to the right, at any subsequent date, to bring an action against the authorities, if he could prove he was not such a person as was referred to in the Act, and if he could prove that the power of ordering his removal was exercised without proper care.

MR. PARNELL said, it was a very important matter, and he was sorry he was obliged to dwell upon it so strongly. His hon. Friend the Member for Sligo (Mr. Sexton) had very justly pointed out that it was utterly impossible that anyone could prove that he was not an alien. He did not suppose that anybody in that House could do such a thing; and in the case of an Irishman, who had not taken out letters of naturalization, the difficulties were still greater. It was, in certain cases, comparatively easy to prove that a person was an alien, because certain forms had to be gone through, and records were kept of the fact of naturalization. For instance, in the case of John Mitchel, who was elected Member of Parliament for Tipperary, the question of naturalization as an American citizen came up on the proceedings disqualifying him as a Member of that House, and his papers were produced, together with photographs, and his letters of naturalization in the Court in Ireland. It would have been quite impossible, if Mr. Mitchel had not taken out those letters of naturalization—if he had not become an American citizen—it would have been quite impossible for him to have proved before any tribunal that he was not an alien. In fact, the construction of the Act of 1848 left it within the power of the Lord Lieutenant to remove anybody from Ireland—whether he was an alien or not—since the onus of proving a negative was thrown upon the person so removed; and it would also appear, from the statement of the hon. and learned Gentleman the Solicitor General for Ireland (Mr. Porter) that there was considerable doubt as to whether an action would lie against the Lord Lieutenant or a Secretary of State for the wrongful exercise of his authority. He (Mr. Parnell) understood that the Chief Secretary could be sued for any wrongful action, and that a police-constable or Sub-Inspector could be sued in like manner, but that the Lord Lieutenant could not be so sued. He supposed that if a person were forcibly removed by a policeman an action would lie against that policeman for damages in case that forcible removal were a wrongful removal. These were points upon which he should be glad to have some information from the right hon. and learned Gentleman the Home Secretary. He was ready to give up a considerable portion of his Amendment and leave the recovery of damages dependent upon the proof by the Lord Lieutenant or Home Secretary before the Court that the person removed was really an alien. He observed that the clause as it then ran left the onus of proof on the person so removed. Of course, they had had very little time to draft these Amendments, and it was very probable that technical mistakes had been made. The right hon. and learned Gentleman the Home Secretary had said that a person wrongfully removed would have his remedy by action; and he (Mr. Parnell) had just asked the hon. and learned Gentleman the Solicitor General for Ireland whether that remedy would lie in Ireland against the Lord Lieutenant, or whether the action would have to be taken against the subordinate officers? Whatever was the fact of the matter, it should be clearly expressed in that clause, or some other part of the Bill, so that the matter should not be left to the constructive interpretation of the Judges who would have to administer the Act. If it had been stated that an action could lie against the Lord Lieutenant, the remedy should be made against the Chief Secretary to the Lord Lieutenant, and this ought to be stated in the Bill, because it would be entirely illusory to hold that a person wrongfully removed would have his remedy against a common policeman.

Sir WILLIAM HARCOURT said, the hon. Member for the City of Cork (Mr. Parnell) had not been quite correct in his statement. He (Sir William Harcourt) was always chary of expressing an opinion upon matters of law, and the hon. Member would see that these were nice and difficult questions of law, which could not be settled off-hand. There were two principles that were essential in the law—the first of these was that persons in the execution of a public duty were not liable to actions for damages if they acted *bonâ fide*, and with reasonable cause. On the other hand, where persons had suffered a wrong there would be a remedy for them in an action at law if an officer of the law had acted in any respect maliciously. He (Sir William Harcourt) could not be expected to give any undertaking or any positive information without having the opportunity of consulting the Law Officers of the Crown on the matter. He, therefore, hoped the hon. Member would consent to postpone this matter until the Report, and, in the meanwhile, he (Sir William Harcourt) would consider how the matter stood.

Dr. COMMINS wished to remind the right hon. and learned Gentleman the Home Secretary that by an Amendment carried on the previous day the Alien Act was to extend to England as well as to Ireland. It was a well-known principle in English law that there was no wrong without a remedy, and that if by mistake some person was arrested wrongfully he had a right of action against somebody. It was equally true that he would not have a right of action against the person who arrested him, nor against the gaoler who detained him. It was also true that the officers of the law who merely executed the warrant would not be liable to any action; but it was equally true that if the party aggrieved could get hold of the person who put the law in motion by alleging that which was false, he could cause that person to be arrested, and would have against him a right of action. This raised a point that had been already brought under the attention of the right hon. and learned Gentleman the Home Secretary, and it was this—that there should be some starting of the proceedings that could be taken cognizance of judicially, and that should be specified in some definite shape to enable people to find out who were the authors of their wrongs. In Ireland the warrant under which the man might be arrested might not be the warrant of the Chief Secretary, but the warrant of the Lord Lieutenant. That would be an Executive act, and no action, as the Solicitor General for Ireland had just pointed out, could be brought against the Lord Lieutenant. The information which was to be the cause of the warrant might possibly be police information, for all that the Act provided was that the information should be laid in writing, and that somebody's name and address should be attached. It was highly necessary that there should be some means of verifying the names and addresses of those who supplied the information, otherwise the information might be made upon names which were altogether false, and upon statements of circumstances which were entirely imaginary. Therefore, in order to carry out the old principle of Common Law, that every wrong must have its remedy, there should be some safeguard in the Bill against action being taken upon false, and, it might be, malicious information. No remedy could possibly be had by a man wrongfully imprisoned, unless there was some such provision as that embodied in the Amendment of his hon. Friend (Mr. Parnell). If nobody was wrong, if no one was forcibly imprisoned, if no one was sent out of the country upon false information, the liability meant nothing, and His Excellency the Lord Lieutenant would never have to pay a farthing damages; but suppose a mischievous use was made of the Act, suppose a person was forcibly imprisoned, suppose false accusations were made under fictitious names, there was no remedy provided in Ireland, while, at the same time, there would be in England.

MR. SEXTON said, he had asked two questions, neither of which had been answered. The Home Secretary had returned to the House, and, therefore, he (Mr. Sexton) would repeat briefly the points he had raised. When a person was arrested as an alien he would be tried for misdemeanour before an ordinary Court of Justice; and the Solicitor General for Ireland contended that at such trial the question whether the man was an alien or not, or whether, being an alien, his presence was dangerous to the peace and tranquillity of the Realm, would arise. He wished to ask the Home Secretary whether, in a case of disobedience to the order of the Lord Lieutenant or the Secretary of State, it would not be sufficient for the authorities to prove to the jury that the prisoner was the person referred to in the order? If not, would it be necessary to prove that the man would be an alien? [Sir WILLIAM HARCOURT assented.] It would! Then, who was to prove it — the Crown Prosecutor? He (Mr. Sexton) wanted to have that point made clear.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that when a man was arrested as an alien, it would certainly have to be proved that he was an alien or not a natural-born Englishman.

MR. SEXTON: A natural-born Englishman?

THE ATTORNEY GENERAL (Sir HENRY JAMES): Well, an alien.

MR. SEXTON said, that was a satisfactory reply. He would now turn to the question of the hearing by the Privy Council; and perhaps the Committee would notice the discrepancy between the proceedings before the Queen's Bench and those before the Privy Council. In the Court of Queen's Bench the Crown must prove that the man was an alien; but before the Privy Council the man must prove that he was not an alien —he was thrown upon his own defence. There was no provision that the Crown, before the Lords of the Privy Council, should prove that the man was an alien; all that was provided for by the Act was that the accused must give an excuse or a reason in reply to the statement that he was an alien. He hoped the Home Secretary would seriously consider this point. An Irishman might have been several years in America; he might have returned to Ireland without taking out letters of naturalization; and there might be certain general circumstances to make the Lord Lieutenant believe he was an alien when he was not. What was to be done if such a man were taken before the Privy Council? He would be asked to prove that he was not an alien; that although, perhaps, he had lived in America many years he had not naturalized himself. He would be asked to prove a negative which was impossible. He hoped he had now shown that the whole proceedings before the Privy Council were a complete farce.

Sir WILLIAM HARCOURT said, that, according to the hon. Gentleman's (Mr. Sexton's) argument, it was to be assumed that the Privy Council would not do their duty. It was quite plain that the duty of the Lord Lieutenant and of the Privy Council was to have positive evidence that the man brought up was an alien, otherwise they would have no right to order his deportation. If the Lord Lieutenant had evidence in his possession which satisfied him that the man was an alien, His Excellency had no right to deal with him under this Act. There was a third tribunal before whom the alleged alien could go. The man might apply to a Judge to be admitted to bail, and before that Judge he might allege that he was not an alien. There were thus three tribunals before whom the man could go, and all of whom they were to assume would decline to do that which it was their duty to do—namely, to be satisfied that the man was an alien within the meaning of the 2nd section of the Act. It was quite plain that a man's citizenship was raised in such a form that it must be proved distinctly that he was an alien before he could be deported. He (Sir William Harcourt) could not assume that the whole or any of the three tribunals provided under the Act would decline to do their manifest duty; and, therefore, he could not accept the Amendment.

Mr. PARNELL asked if the right hon. and learned Gentleman, on Report, would insert words which would make it clear that positive evidence that the prisoner was an alien should be brought before the Privy Council? If the right hon. and learned Gentleman would do that, it would go a long way to conciliate the objections to the clause. It certainly did appear to him (Mr. Parnell) and his hon. Friends that the Privy Council would not require any such evidence. The matter was left entirely to the exculpatory action of the person to be removed. There was no necessity on the part of the Lord Lieutenant to make out any case before the Privy Council as to the justice of the order. He (Mr. Parnell) was willing to accept the statement of the Home Secretary that, in his judgment, positive evidence would be required by the Privy Council that the man was an alien; and if the right hon. and learned Gentleman would give effect to his belief by means of a clause, the objections of himself (Mr. Parnell) and his hon. Friends would diminish.

Sir WILLIAM HARCOURT said, he would consider the matter between this and Report. He had, however, omitted to mention another great security which a man wrongfully arrested as an alien had. There was nothing to prevent such a man suing out a *habeas corpus.*

Mr. PARNELL said, he was rather referring to the case of a person who had not been arrested, but who was going to be sent out of the country. Such a man would practically have no remedy but an appeal to the Privy Council.

Sir WILLIAM HARCOURT said, nothing would prevent that man suing out a *habeas corpus.* He could lodge an appeal, and, the moment he did that, the execution of the warrant was suspended.

Mr. PARNELL: He might not be in custody.

Sir WILLIAM HARCOURT said, the hon. Member would see that the man must be arrested, and then the magistrate in whose custody he was for the purpose of deportation "must make known to the Secretary of State his objection." No sudden deportation could take place, and while all this was going on the man must be in custody. He could see no way in which a person, not being an alien, could bring the matter up so that the onus of proof would not be on the Crown. There was really no difference between himself and the hon. Member for the City of Cork (Mr. Parnell); but the matter should be considered carefully by Report.

Mr. PARNELL said, the right hon. and learned Gentleman (Sir William Harcourt) had shown that where a man had been arrested he could appeal to the Court of Queen's Bench, or to the Privy Council. If, however, a man were carried out of the country before any permanent arrest had been made, he could not appeal either to the Privy Council or the Judges.

Sir WILLIAM HARCOURT said, the man could appeal at the very moment of his arrest. A messenger could not arrest him except under a warrant, and at the very instant of his arrest he could lodge any appeal to the Judges, and the messenger was bound to make known the fact.

MR. SEXTON said, there was no provision in the Act that the messenger should inform the person arrested that he had a right to his writ of *habeas corpus.*

MR. HEALY said, it was important to remember that if a man took out a writ of *habeas corpus* it would involve his getting a solicitor, and then a barrister; briefs would have to be drawn up, and all this would occupy at least a week, during which time the man might be in custody and suffering a loss of business. As to the appeal to the Court of Queen's Bench, it was well known that the Irish Courts would not go into the facts of a case. He spoke in the hearing of the Irish Law Officers, and he defied them to deny what he now stated. The Irish Courts, instead of going into the facts, simply saw whether the Government or a magistrate had or had not certain powers. The question whether the powers were wrongfully exercised was of no concern to them. That was so under the Act of Edward III.; they simply satisfied themselves that the magistrates had certain power under that Act, and then they refused all redress. This state of things was clearly shown in the case of Miss O'Connor and others. Let the Solicitor General for Ireland (Mr. Porter) get up in his place and deny it if he could. The Home Secretary said that, under the Amendment, it was to be assumed that the Privy Council would not do what was right, and that the Government would not do what was right. The Opposition in the House of Commons acted continually on the supposition that the Government would not do what was right. The point of the Amendment was that, where a man had been wrongfully arrested, and where his business had been damaged, he should have some means of redress, and no amount of argument on the part of the Chief Secretary would destroy the justice of the proposal. It was ridiculous to suppose that if a man were arrested as an alien and kept in prison for any time at all, and if afterwards it were proved that he was no alien at all he should have no remedy.

MR. PARNELL said, the matter had now been very considerably narrowed down. Were the Committee to understand that by Report, if it were seen that there was any doubt on the point, the Home Secretary would insert words to the effect that the Judge, or Court, and the Privy Council should require evidence that the man brought before them was an alien?

SIR WILLIAM HARCOURT said, the matter should be carefully considered before Report.

MR. PARNELL said, he would ask leave to withdraw his Amendment, reserving to himself, of course, the right of returning to the matter on Report.

Amendment, by leave, *withdrawn.*

MR. HEALY moved to add to the clause—

> "Provided that such reasonable expenses of any alien, against whom any order shall be made under the said Act as will enable him to comply with the terms of such order, and travel to the country of which he is a citizen, shall, on application, be paid to him."

He did not suppose the Government had any objection to the Amendment.

Amendment proposed,

> In page 6, line 43, at end, add—"Provided that such reasonable expenses of any alien against whom any order shall be made under the said Act as will enable him to comply with the terms of such order, and travel to the country of which he is a citizen, shall, on application, be paid to him."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

SIR WILLIAM HARCOURT said, that if he understood the Amendment properly, if they sent a man away they were to pay his expenses. The hypothesis upon which a man would be ordered to leave the country would be that he had come here to disturb the peace and tranquillity of the Realm. That being so, he could not see how the country could be expected to pay the man to go away.

MR. HEALY said, the right hon. and learned Gentleman had been very pleasant in his reply; but he had gone on the assumption that the Crown was always right. He (Mr. Healy) did not go on such an assumption, but brought forward the case from the point of view of the people. He would put the case of a man who might have been living in the country for some time, but who might not have the necessary funds to carry him away. Such a man would be kept in prison until someone raised him the funds with which to get him away. Surely, if a man were really a dangerous foe to the British Constitution, the best thing the Government could do was to get rid of him as soon as possible. In the case of the Fenian prisoners, the Government granted them a sum of money with which to get to America. The Government of which the Home Secretary was a Member actually paid the expenses of O'Donovan Rossa to America, the "land of dynamite." In fact, Mr. O'Donovan Rossa had been set up in life by the British Government. It was only in the interest of poor men who had not the means to leave the country that he proposed this Amendment; and he trusted that by the Report the Government would see their way to accept this or some similar Amendment.

SIR WILLIAM HARCOURT said, this was a provision which the Government could not possibly accept.

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Amendment again proposed,

In page 6, line 43, at end, add "Provided that such reasonable expenses of any alien against whom any order shall be made under the said Act as will enable him to comply with the terms of such order, and travel to the country of which he is a citizen, shall, on application, be paid to him."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

MR. BIGGAR said, it appeared to him that this Amendment was one that ought to be accepted by the Government, and for this reason—that if an alien were ordered by the Lord Lieutenant to leave the country, he might not have the means to do so; and, in that case, he (Mr. Biggar) should like to know how it would be possible for such a person to obey the Lord Lieutenant's order, unless the authority sending him away paid his steamboat fare? He did not know what the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan) thought of the proposition; but unless he assented to it, it would appear to be the opinion of the right hon. Gentleman that these aliens would find Steamboat Companies who would be ready to take them away to their native country for mere charity's sake. But, for his (Mr. Biggar's) part, he thought that such a thing was very unlikely, and it seemed to him that the only feasible way of getting rid of those persons whom it might be considered desirable to remove as aliens would be for the Government to pay their steamboat fare to whatever countries they might happen to be natives of. He certainly thought it ought to be provided by the clause that the expenses of the deported persons should be paid to the countries of which they were citizens, because otherwise what might occur would be this—that if the clause were simply held to mean that the travelling expenses of the aliens subjected to removal under the Bill were only to be paid out of the country from which they were deported, in any case where the expelled persons happened to be American citizens, or citizens of some other country at a great distance from Ireland, they might be merely conveyed to some country in which they would be quite as much aliens as they were in Ireland. That being so, he really could not see what objection Her Majesty's Government could raise against the Amendment moved by his hon. Friend the Member for Wexford (Mr. Healy).

MR. TREVELYAN said, the fact was that the Members of the Committee had already spoken so much on this Alien Clause that certain hon. Gentlemen seemed to have talked themselves into the idea that the aliens whom, it was admitted, it would be desirable to get rid of, were really very amiable persons, who would be a great loss to the country. The fact was that the clause was one which Her Majesty's Government would never put in operation, except against persons whose loss would be a great gain to the country, and, he might add, a great gain to themselves; because if they were to stay any longer in this Kingdom they would probably put themselves in such a position that their absence would be a small misfortune to them in comparison with what would be likely to happen if they continued to remain here. The proposition before the Committee was one that could not possibly be adopted by Her Majesty's Government, and he must repeat that the Act would never be put in operation except against persons who had no claim upon the country whatever.

Mr. BIGGAR said, the right hon. Gentleman the Chief Secretary had not met the difficulty which he (Mr. Biggar) had attempted to put to him—and that was, how was an unfortunate alien who happened to be without means to get away when ordered by the Lord Lieutenant to quit the country? The Lord Lieutenant would say to such a person—"You must go," and if he did not obey he would be put in the hands of a Queen's messenger; but how was the Queen's messenger to get the man away if he did not pay his steamboat fare? It seemed to him (Mr. Biggar), from the point of view he took of the matter, that the Government would be bound to provide the means, in such cases as these, for carrying out the Lord Lieutenant's order, because if they took the steamboat ticket and got the alien on board, the matter would be settled once for all; but otherwise they would find it a very difficult thing to carry out the intention of the clause.

Mr. TREVELYAN assured the hon. Gentleman that the question of paying the steamboat fare in such cases might be left with perfect confidence to Her Majesty's Government.

Mr. SEXTON said, the question was not at all such as the right hon. Gentleman the Chief Secretary had represented it—it was not a question of whether, in the eyes of certain hon. Members, aliens were amiable persons. The question was, whether a man was to be punished for disobeying the order of the Lord Lieutenant of Ireland that he should quit the country. Let the Committee just consider for a moment what was to be the process. The Lord Lieutenant made an order that a certain person should leave the country; but supposing that person had not the ready money to enable him to do so—for it might be taken that these aliens were not generally persons with a sufficient amount of cash in hand to pay the expense of a long voyage—what would have to be done? His hon. Friend the Member for Wexford (Mr. Healy) had proposed a method by which the difficulty would be properly met. If the man had to be removed by the Act of the Government, the Government would have to pay for his passage; why, then, should they not recognize the obligation at once and consent to the payment of the money beforehand? In other words, might not the Government give the man the option of going away of his own free will and of paying the money himself, or of leaving it to the Government to put its own order in execution? He thought there could be no answer to this proposition.

Question put, and *negatived.*

Mr. PARNELL said, he desired to move a sub-section which stood on the Paper in the name of his hon. Friend the Member for Wexford (Mr. Healy), but which had been passed over at the time in order to give precedence to another question. The Amendment was, to add, at the end of the clause, the following sub-section:—

"A copy of every order under this section shall be laid before Parliament within fourteen days after the making thereof, if Parliament is then sitting, and, if not, then within fourteen days after the next meeting of Parliament."

Amendment proposed,

In page 6, line 43, at end, add the following sub-section:—"A copy of every order under this section shall be laid before Parliament within fourteen days after the making thereof, if Parliament is then sitting, and, if not, then within fourteen days after the next meeting of Parliament."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

Mr. MORGAN LLOYD rose to Order. His recollection might be wrong, but his impression was that this Amendment was substantially the same as an Amendment that was discussed a day or two before, and then negatived.

Mr. PARNELL said, he should be glad to know what course the Government proposed to take with regard to this proposition? An alteration might be made with regard to the limit of time if the Government thought that 14 days were too much.

Mr. TREVELYAN said, he thought he remembered his right hon. and learned Friend the Home Secretary assenting to this Amendment.

Mr. PARNELL asked, would the right hon. Gentleman the Chief Secretary consent to add the sub-section to the clause now?

Mr. TREVELYAN said, he thought it would be better to take it on the Report.

Amendment, by leave, *withdrawn.*

On Question, "That the Clause, as amended, stand part of the Bill?"

Mr. DILLON said, he would suggest that the clause be left out of the Bill. He would state the reasons, as briefly as possible, why he made this proposal. He thought that one point which constituted a good reason why they should object to this clause being enacted as part of the Bill had been overlooked. He thought that every Member of that House, no matter on which side he sat, would be willing to acknowledge that no powers of the kind contained in that clause ought to be given to Her Majesty's Government unless some real necessity for the exercise of such powers were proved to exist. He contended that Her Majesty's Government had not proved the necessity for any such powers being conferred upon them. On the contrary, it was in the recollection of the Committee that the Government had already obtained a clause, which was of a very stringent character, with regard to the way in which they might deal with strangers. They had a clause which enabled them to arrest any stranger who might be seen going about the country under what were called suspicious circumstances; and, with this power at the disposal of the Government, he failed to see why they should require the Committee to press this further clause dealing with aliens. He knew, of course, that it might be said, and, indeed, was said, that the Alien Clause was introduced with a view of removing all danger of complications that might otherwise arise with foreign Governments. He confessed that there was some show of plausibility in the defence made of the clause on this ground, or this excuse, if it were alleged by Her Majesty's Government as a reason for the contention that the clause dealing with strangers would not be sufficient for all the purposes the Government had put forward in justification of this clause. But supposing they were to admit this point, and that the present clause was one which Her Majesty's Government had indirectly proposed for the purpose of removing any danger of collision with foreign Governments, he would put it to the Committee, would not the clause they had already got, dealing with strangers, enable Her Majesty's Government to deal with the matter in such a way as to give the Irish Members the concession they had asked for at an earlier stage in the consideration of the subject—namely, a sufficiently long period of warning to those aliens whom the Government might intend to remove? The Committee had already passed a clause giving the Lord Lieutenant of Ireland power to arrest any stranger who might be found under suspicious circumstances in any district in that country. He supposed that any alien who would be liable to be dealt with by the clause under consideration would be also regarded as coming within the clause which was made applicable to strangers. If, therefore, the Government thought there was any immediate danger of any alien committing some atrocity in Ireland of such a character that his immediate removal from that country was thought desirable, why should they not bring the right sort of action against him which they had provided in the clause, enabling them to arrest strangers, so that in this way they could make it safer to grant to the Irish Members the concession they had asked for—namely, that no alien should be removable without a warning of 10 or 20 days, or whatever period might be considered necessary to enable him to wind up his affairs and make some provision for his removal out of the country? It seemed to him to be a very unreasonable thing on the part of Her Majesty's Government to have refused this concession; and he regarded their having made this refusal as constituting an additional reason why the Committee should reject the clause. He did not think it necessary at the present moment to repeat the arguments that had been urged in favour of the various Amendments that had been brought forward for the purpose of modifying this clause. He thought that all those arguments had been very fairly put forward on the part of the Irish Members, and they constituted sufficient reasons why he and his hon. Friends should oppose the clause being passed as a whole as well as in detail. He therefore asked the Committee to reject the clause.

Mr. T. D. SULLIVAN said, he also desired to oppose the passing of the clause as a whole. The Committee had been asked by Her Majesty's Government what interest they could possibly have in merely causing annoyance and giving trouble to peaceable persons in Ireland? They had heard this sort of question put before, and they had heard the same kind of arguments used with reference to another Coercion Bill—he referred to the measure that had been passed last year. When that measure was before the House, they were told that it could not be to the interest of Her Majesty's Government to create needless trouble in the country; and the House was asked to trust them in carrying out their good intentions, in the exercise of their benevolence, and in the exhibition of their sense of justice, and all that sort of thing. Appeals such as these were made by Her Majesty's Government in the mildest tones imaginable; and one might almost have been led to think, while listening to the dulcet tones which the Home Secretary could employ when it suited his purpose, that there was no other object in that Bill except that of making the whole population of Ireland contented and happy. But although the velvet paw had been put forth in that manner in that House, they knew very well that it was anything but a velvet paw in Ireland, because what was felt in that country was the pain and injury inflicted by the sharp claws of that Act. Nevertheless, with all their experience of what had followed as the consequence of the Bill of last year, they were once more asked, in connection with the present Bill, what intention could there be on the part of the Government to annoy or irritate the Irish people? They were asked to believe of Her Majesty's Government that they would exercise the powers to be conferred on them by that particular measure in a judicious and temperate manner, and that they would do no hurt or harm to any decent or well-intentioned persons. Such, however, were the representations made on behalf of Her Majesty's Government, and such were the appeals addressed by them to the House at the time the still existent Coercion Act was being passed. But he would put it to the Committee, was it not a well-known fact that a large number of law-abiding and respectable people had been annoyed and harassed by the way in which that Coercion Act was put in operation? Was it for a moment asserted that the class of persons who had suffered molestation, arrest, and imprisonment, under that Act would be made to suffer from the action of that measure? Were they not told at the time that the Government knew who were the real perpetrators of crime and outrage in Ireland, and that only those who were well known to the police as coming within this category would be harassed or annoyed by the operation of the Act? The allegations and pretences made by Her Majesty's Government, with a view of securing the passage of that Act, had been falsified—grossly and notoriously falsified—by the subsequent conduct of the Irish Executive, and they might depend upon it that the same thing would happen in the present instance as soon as the powers now sought for had been conferred on the Government. The Irish Executive, they were told, would only interfere with those whom they had good reason to believe to be bad characters, and persons who were about to commit crime and outrage in Ireland. Very well; but if this were so, was it to be supposed that they had acted in the same manner under the provisions of the present Coercion Act? Had they, under that Act, arrested no one but those whom they believed to be criminals, either in act or in intention? Was it to be supposed that only such persons as these had been arrested under the existing Act? If this were the belief of the Government in this matter, it was not the belief of hon. Gentlemen sitting on those (the Opposition) Benches, nor was it the belief of the people of Ireland. The Irish people knew very well that if this were really the belief of the Government, it was a belief that was altogether without foundation; and, on their part, the people of Ireland would not take as any guarantee of the safe working of the present measure the assurance made by Her Majesty's Government that it would interfere with nobody except those who deserved to be interfered with. What, he asked, were the means of forming such a belief that were possessed by the Irish Government? According to the intention and provisions of the Bill, the Lord Lieutenant was to be the prime mover in the initiation of the proceedings by which the measure would be put in operation. But how was it possible that the Lord Lieutenant could be made aware of all that was going on throughout Ireland? The Lord Lieutenant could not be constantly travelling through the country; he could not visit all the different districts and hear evidence on both sides of the question with regard to every individual who might happen to be denounced as a suspicious character. As a matter of course, the belief of the Government in all these cases would be the belief of the magistrates, the belief of the police, and the belief of the landlords; and, perhaps, it would be on something even less than the belief of these persons that they would ground the suspicion on which they would enforce this clause. Moreover, would not the Government be certain to be told by all these persons, as an assurance intended to afford them comfort and satisfaction, that the law-abiding and peaceable members of the community were not interfered with under this measure? He granted that if men would only be content to confine themselves to their every-day avocations—if they were satisfied with performing their duty as mere labourers—hewers of wood and drawers of water—if they kept quiet and said nothing, if they refrained from any expression of political opinion, if they held no political meetings, or, in other words, if they were content to reduce themselves to the condition of the beasts of the field, and did not think nor talk of political matters or public affairs, the benevolent Government that was asking for these coercive powers would not interfere. This he was prepared to grant, and he had no doubt that Her Majesty's Government would no more interfere under these circumstances than they would interfere with the cows and horses on the different farms—would no more arrest and imprison such people than they would arrest and imprison the beasts of the field. But let these persons once dare to think and speak about the affairs of Ireland; let them dare to show that they were possessed of hearts and minds; let them dare to display any feeling of indignation or resentment because of the wrongs that had been done to the Irish people, or let them have the courage to evince that they had aspirations in the direction of liberty and freedom, and they would find that they would at once be brought within the scope and operation of the Bill. In regard to the question as to the necessity of this clause, it had already been argued, and argued, he thought, very fairly. Had the Government officers in Ireland as yet ventured to deal with these so-called aliens? For what purpose did the Government want this clause? An alien might be a stranger in the country; but, for that matter, the legislation they were at that moment engaged in passing converted the whole of the Irish people into either strangers or aliens, for there was not a man who might happen to go eight or ten miles away from his home in any part of Ireland who would not be liable to be regarded, from a legal point of view, as a stranger. Henceforth strangers could be made of everybody in Ireland, and hardly anyone would be at home there except Brown, Jones, and Robinson, who went over to visit the country. What, he asked, could be expected under such a system of legislation? The clause dealt with aliens. Who were those aliens? They were members of the Irish race—the sons and brothers of the Irish people—people who had left their native land a few years ago, whose fathers and mothers lived in Ireland, and who came back from abroad to visit their friends and relatives. These men were to be looked upon as aliens, and perilous to English rule in Ireland and to the public peace. Well, even if these men were dangerous to the public peace, there was little to wonder at in it. England had sown the dragon's teeth. These men were, for the most part, evicted tenants, or the sons and brothers of evicted farmers; and if, after tasting the sweets of liberty in America, and living under a free flag, they, on their return, were not enamoured of the state of things in their own country and of British rule, little wonder said he. They (the Irish Members) had no sympathy with persons who returned to Ireland to commit crime, or those who committed crime without having left the country, or those who were connected with the perpetration of atrocity of any sort; but the scope of this Bill went far beyond these people. The Irish Members had said, over and over again, that if the incidence of this legislation was only to affect criminals they would not object to it; but they saw in it that which would be oppressive to thousands and thousands of the Irish people. They saw in it that which would help to unsettle the country and intensify the feelings of antagonism and hatred that existed in the minds of all classes of the Irish people, save the little foreign garrison retained there. It was a short-sighted policy that was forcing this measure, and this clause of the measure, on the people of Ireland.

Mr. ARTHUR ARNOLD said, that this clause, as amended, was a virtual re-enactment of the Act of 1848 for the whole of the United Kingdom. That Act was passed for the purpose of securing the peace and tranquillity in this Realm; and, as the Chancellor of the Duchy of Lancaster (Mr. John Bright) knew very well, there had been a great difference of opinion about it. It was the opinion of some that political views would be imported from the Continent which it was desirable should not be promulgated in the United Kingdom; but, whether or not, the Act was never put into operation as that of 1791 had been. No doubt, some Member of the Government would speak on this subject, and when he did he (Mr. Arnold) hoped he would inform them how far the clause now under consideration was strictly confined and limited by the title and Preamble of the Bill. The Bill was called "A Bill for the Prevention of Crime in Ireland;" but they had now re-enacted the Alien Act. Was the power to use the Alien Act only to be for the prevention of crime against Her Majesty or Her Majesty's subjects? That would be an important limitation; at any rate, he was anxious to hear from Her Majesty's Government that this clause was not likely to embroil us with Continental Governments. It was strange there had been so little said as to the political aspect of the clause. Hardly a single remark had been made about it except by the hon. Member for Tipperary (Mr. Dillon) in his observations just now, and he had said that it would be necessary to consider what complications with America this clause might involve us in. It had been asked what was the origin of this clause. There could be no doubt that it was the deportation of the Irish people to America, the feeling with which the Irish people had left their native country, and the feeling which, most unhappily, they entertained towards this country. The value of the clause, to his mind, was derived principally from the fact of his knowledge of the hatred that unhappily existed against England on the part of millions of people of the Irish race on the other side of the Atlantic. He did not hesitate to say that he valued this provision as a necessary protection for the Government of this country against the possibility of embroilments with the Government of the United States. There were in this country hundreds—nay, more than hundreds, thousands of political refugees from other European States. We had now re-enacted the Alien Act of 1848. Well, that fact would, no doubt, be published abroad, and would, from time to time, during the long period of three years, during which the Act was to remain in force, bring communications to Her Majesty's Government from the Continental States of Europe, requesting us to deport the subjects of those States. He was anxious that we should be protected from any danger of that sort; and he should, therefore, be glad if Her Majesty's Government would establish the fact beyond doubt that the application of the Bill would be governed by the fact that it was a Bill for the prevention of crime in Ireland, or that it should apply only to crime committed in Ireland or against her Government.

Mr. O'SULLIVAN opposed the clause. He said he did so because he feared it would be open to a very great amount of abuse. Under the clause an alien might be removed merely in consequence of a private letter written by one man to another—by the *ipse dixit* of a certain man who might write to an official in Dublin Castle, saying—"Such and such an alien is spreading sedition; he is dangerous to the peace and tranquillity of the country; you should have him removed." The authorities at Dublin Castle, in all probability, would know very little about the man referred to except what they heard from the local police. He (Mr. O'Sullivan) knew many people who had returned from America, and had come to settle down in their native country for the rest of their lives—small tradesmen and farmers who had made a little money on the other side of the Atlantic. There was no class of people more respectable and industrious than this. The opinions of such people on Irish questions, as a general rule, were very strong, and very displeasing to the local magistrates, who were gentlemen who thought themselves of great importance throughout the country. The local magistrates would not be slow in writing letters to get the Government to expel these Irishmen returned from America. If the clause only dealt with those who were likely to commit crime in the country, he should not oppose the clause so strongly as he felt bound to oppose it. When he saw the Government refusing to accept such an Amendment as that of the hon. Member for Sligo (Mr. Sexton), which would exempt from the operation of the clause men who had lived 12 months in the country, he must confess that the provision looked dangerous, and that it made the Government look as though they intended to use the Act for the purpose of expelling from the United Kingdom men who had settled down and resided in it for years. If the Government would agree to a modification of the clause, in the spirit of the suggestion of the hon. Member for Sligo, there would not be so much danger of the clause being abused. Would the Home Secretary even put the period at two years? Surely, there need be nothing to fear in withholding permission to expel from the country a man who had resided in it so long a period as two years. He hoped that, on Report, the right hon. and learned Gentleman would make some proposal to modify the clause in the interests of those hard-working men who had settled down in Ireland, and who, having centred their business and means of living there, would be ruined if compelled to leave the country.

MR. JOHN BRIGHT: In the discussion on this clause reference was made by the hon. Member for Tipperary (Mr. Dillon) to the course I took with regard to this clause in 1848. He did me the honour of reading my name as being one of the minority of 22 who opposed the Act at that time. If he had read through the whole of the debate he would have found that there was a reason for objecting to that Act which, I believe, does not now prevail, and has no influence with regard to the present time. In the speech of Sir George Grey, who introduced the Bill, it was plainly set forth that the main or great object of the Bill was to prevent the spread of Republican opinions which at that time were threatening to overturn most of the Monarchical institutions of Europe, and which some people were afraid might have the same effect in this country. I recollect at that time a gentleman from Paris—very much mistaken in my character—calling upon me to discuss with me whether it was not possible that what had been done in so many European capitals might not be done in the capital of this country. I told him the state of things was very different in this country. I told him that anything recommended to the people in the nature of intrusion from abroad would be resolutely opposed by the people. Now, the Alien Act of 1848 was intended to prevent the incursion of opinion. This Act has no such intention whatever. Its object is to prevent the incursion of persons practically, I may say, from a particular country. No doubt its bearing is a hundred times more direct upon persons coming here from the United States than of persons coming from any country in Europe; and we need not be surprised at that, because we hear a good deal about a party in America called "The American-Irish." We have had some interesting books recently published, which give us a good deal of information with regard to them. But we know, further, that those opinions, when published to the world, are most violent, not only against the Government, but, I might say, almost also against the people of Great Britain. It has been the boast of hon. Gentlemen opposite, for the last two years, that they have had an almost unlimited supply of money from the United States for the purpose of continuing political agitation in Ireland. Of that there can be no doubt. Well, we know, further, that in America there has been a series of constant conspiracies for some years past in connection with something like corresponding conspiracies in Ireland. Hon. Gentlemen opposite know very well that not many years ago a soldier of fortune—a man ready to fight anywhere, I hope not in any cause—came to this country in expectation that his friends in Ireland would immediately put him at the head of an army of 10,000 men. He afterwards published his experiences to the world in one of the reviews of this country. I had an opportunity of conversing with him for, I should think, at least an hour, and he told me the reason—which, I think, was not exactly accurate—as to what had brought him here, and he asked my opinion as to the state of feeling in this country, partly as regarded England, but chiefly as regarded Ireland. I told him that nothing could be more hazardous or more certain to lead him to destruction than if he took part in conspiracies which were then afloat. I recollect that in the article he wrote, he said he found out the police had discovered the whole matter, and that he left London very suddenly, adding that, "on occasions like this, I travel with very little luggage." I thought that General Cluseret, as he was called, was a very sensible man to get away out of the difficulty into which he was very near plunging himself. Now, these are the things which we all have in our memory. In all these books — and hon. Gentlemen opposite have read them and know more about them than we do—we have accounts of drillings, and armings, and conspiracies, sometimes slumbering, sometimes very active, among Irishmen in America, and discontented Irishmen in Ireland. Hon. Members opposite boast, and are always boasting, of the number of Irishmen in America. They say the English Government has not only to meet Ireland and the Irish who are in that Island, but also the Irish race in every part of the world, and particularly the Irish race on the American Continent. An hon. Member who sits on that side of the House not long ago told me that he had consulted an officer of the American Census Office, and had learnt that there were 15,000,000 or 16,000,000 of persons in the United States, who were, if not Irishmen or Irishwomen, yet of Irish blood. These are the numbers, and this is the race. This is the Republican population of the United States by whom we are constantly threatened, and whom, as we are told by the hon. Member opposite, we have to meet; and he said there could be no hope whatsoever of a continuance of the Union between Great Britain and Ireland, or of peace in Ireland, when the Irish people had their aids—I will not say as their fellow-conspirators, but fellow-sympathizers—so large a population on the American Continent. And this brings us to the state of things at this moment. We know perfectly well—and hon. Gentlemen opposite know—that the scores of thousands of pounds received from the United States have been the main means by which the party movement during the last two years has been conducted, and we know that throughout Ireland—I will not say in all parts of Ireland, but in three-fourths of it—there have been persons from the United States who have endeavoured, in co-operation with hon. Gentlemen opposite, to stir up the feeling of the people of Ireland against the Parliament and the Government of the United Kingdom. There can be no manner of doubt about that. Everyone who has recently crossed the Atlantic in steamers can tell of the number of persons who have been coming over—and who are believed to be connected with the political associations in Ireland—with the object of aiding in the purposes of those associations. Now, we have had some very serious crimes committed, such as have shocked not only the feelings of the people of this country, but of the whole civilized world; and we know that some hon. Gentlemen opposite, and others who are their associates, endeavour to escape from having the charge fixed on Irishmen and upon Ireland by assuming or asserting that these crimes have been committed by persons who have come to Ireland from the United States. I have seen careful articles written to show, from the nature of a particular crime, that it could not have been perpetrated by an Irishman, but that it must have been committed by some persons from the United States. Who are the persons with whom these murderers are associated in the United States? Clearly and certainly they are persons with whom hon. Gentlemen opposite or their associates are associated, because it is obvious—it is not a matter that requires assertion—it is clear to the understanding of everyone that the people who send over these large sums of money from the United States are themselves united in opinion, and are in connection with those who are endeavouring to stimulate political agitation in Ireland. By looking at even a portion of what we have seen during the last two years, it is obvious that the condition of Ireland has been made greatly worse by the acts of persons subscribing money in America, or employing themselves in coming to this country and in taking part in the conspiracies which have been established in Ireland. If it were necessary to go into any further proof, I would go into that Convention at Chicago, which I referred to a good many weeks ago—a Convention which was called by six men, one of them, I think, the editor of *The Irish World,* one a leading conspirator in Boston, and three of them men from Ireland, two of whom have seats in this House. These six names—three of them from Ireland—were at the head of the Circular convening this Convention. Yet in this House hon. Members, in my opinion most inaccurately, said they had nothing to do with the Convention. The hon. Member for Sligo (Mr. Sexton) said that they went there merely as spectators, in order to ascertain what opinion the Irish in America held of the Irish in Ireland. I say that they called the Convention. I say that at a reception given on one of the nights of the Convention all of them spoke, and two of them made long speeches—speeches of violence and menace, and one of them was one of the most violent that I have ever read. That was the fact. And, more than that, a leading member of that Convention stated that our friends, or his friends, from Ireland had been taken in council, and had assisted at the preparation of the Resolutions of the Convention, and of the address which was issued to the people of Ireland. I mean to say that the conduct of that Convention, so far as any person who partook of it was a subject of the Queen, was a Convention of traitors. There can be no other accurate name given to men who took part in that transaction, and who were the subjects of the Queen, than that they were rebels to the English Crown. Well, if this be so—and I have stated nothing which is not capable of the most easy demonstration—then I say that there is a very strong reason why a clause like this should be introduced into this Bill, because at this very moment, as far as we know, exactly the same course is being pursued. It is perfectly well known to the Irish Government that many men are in Ireland now who are not there for any purpose that is advantageous to the people of Ireland or just to the Crown of the United Kingdom, and people whom it is the right of any Government in any country under such circumstances, if they can, to drive out of that country. The object of this clause is not to prevent any man from coming here for an asylum, or to speak openly his political views. It is to prevent a number of men, who are conspirators of the very worst dye, and who, apparently, are wholly oblivious of the efforts which the English Parliament has made during the last 50 years to improve the condition of Ireland and to do justice to the people of that country, and who, forgetful of all that, go back and talk about the evils which existed 100 or 200 years ago, and are wholly forgetful of the true and wide sympathy which the people of Great Britain now exhibit to the people of Ireland. Now, Sir, on that ground I say that I support this clause, although I was one of the minority of 22 who voted against the Alien Act in 1848, because I thought it was brought before Parliament for no sufficient reasons, and that it had no foundation in the condition of the country. In fact, I believe my hon. Friend the Member for Salford (Mr. Arnold) said the Act was never put in force. Whether it was or not I am not certain; but if it was not it was because there was really no reason to put it in force, and, therefore, there was no reason for passing the law. Now the state of things is wholly different. It is not more dangerous as regards the Government—I am not speaking of this Administration, but of the Government of the Queen or of the United Kingdom. There is no power in Ireland, or in the United States, that can touch the power of the Government of the Queen. Therefore, it is not on account of anything that can be done with a view of overturning the institutions of the United Kingdom, but it is to save the country from contamination with criminals of the worst dye, and from suffering from crimes, which in this country have been heretofore, I think, altogether without example. It is, therefore, under this change of circumstances, and under the facts I have stated, and which, I believe, I have not overstated, that I feel myself at liberty —and I should be at liberty if I were not a Member of the Administration, and sitting with my Colleagues here—honestly and with perfect freedom to give my support to this clause.

Mr. SEXTON said, there were two points of special and particular interest in the speech of the right hon. Gentleman who had just spoken. The right hon. Gentleman had referred to the fact, of which the Committee had been lately put in mind, that he was one of the very small minority in that House who voted against the Alien Act of 1848. He (Mr. Sexton) should have thought that was a fact the right hon. Gentleman would rather have forgotten than remembered. He himself had admitted that it was notorious that the dangers which menaced the British Crown, and every Crown in Europe in 1848, very far transcended any incident of the movement now existing in Ireland. Whereas, almost in the concluding words of his speech, the right hon. Gentleman had stated that in 1848 there was great trouble to Crowns and danger to Crowns in Europe; and, whereas he, therefore, entitled the Committee to infer there was a particular kind of danger from which the Crown of England was not free, yet he immediately afterwards placed 1848 in contrast with the present time in regard to the movement now supposed to menace England, admitting that neither in Ireland nor the United States was there any influence at work to cause danger to the British Crown. He (Mr. Sexton) had no hesitation in adopting that view; but, if that view were correct, it put in a very equivocal light the conduct of the right hon. Gentleman, who voted against the Alien Act in 1848, when there was danger to the British Crown, and voted for it in 1882, when no such danger could be alleged. Another remarkable feature in the right hon. Gentleman's speech was his estimate of the number of people of Irish extraction on the American Continent. The right hon. Gentleman stated—and he (Mr. Sexton) was glad to hear it, and to learn that it came from a competent authority—that there were 50,000,000——

MR. JOHN BRIGHT: I did not say anything of the kind.

MR. SEXTON said, the right hon. Gentleman was hasty. He (Mr. Sexton) had not finished the sentence, but had been about to say that the right hon. Gentleman informed them, on what they were led to understand was good authority, that out of a population of 50,000,000 in the United States there were 15,000,000 or 16,000,000 Irish.

MR. JOHN BRIGHT: I said of Irish blood. The estimate was not mine, but I quoted from an hon. Gentleman who sits on those Benches, and who has lately been to America. I think that estimate excessive, unless the hon. Member meant to include persons whose fathers and mothers were Irish or of Irish blood.

MR. SEXTON said, that persons who had themselves emigrated, or Americans of Irish blood, were the same—they all felt the same, whether they or their fathers and mothers had come from Ireland. They all entertained the same view with reference to the political situation in Ireland. He (Mr. Sexton) had not been aware, when the right hon. Gentleman was quoting the statistics, that he was quoting them from an hon. Member who sat on those (the Opposition Home Rule) Benches. At any rate, they had come from an United States official, who, as the right hon. Gentleman had said, was very likely to be well informed.

MR. JOHN BRIGHT: From someone in the Census Office, I believe.

MR. SEXTON said, the authority was good, and the information was likely to be correct. Well, this fact in itself—the fact that there were 15,000,000 or 16,000,000 people of Irish blood in the United States—showed what a serious thing it was to agree to such a clause as this. With regard to another observation of the right hon. Gentleman as to the Chicago Convention, the Chancellor of the Duchy of Lancaster had repeated the accusation that hon. Members of that House had concerned themselves in a Convention which, so far as it was composed of subjects of the Queen, was a Convention of traitors. He (Mr. Sexton) had only to say what he had stated on a previous occasion, when the accusation was made—namely, that the hon. Members for Galway and Wexford (Mr. T. P. O'Connor and Mr. Healy) took no part in the Convention at Chicago.

MR. JOHN BRIGHT: Does the hon. Member mean to say that the hon. Members did not sign the call for the Convention?

MR. HEALY: Certainly I did, and I am very proud of it.

MR. SEXTON said, he was about to come to that point. The right hon. Gentleman the Chancellor of the Duchy of Lancaster seemed to have become infected with the precipitancy of right hon. Gentlemen about him, and was not content that he (Mr. Sexton) should proceed in his own way. He had said that the hon. Gentlemen to whom he had referred had not taken any part in the proceedings of the Convention, and he supposed the call for the Convention was not a part of the proceedings of the Convention. The call was published some days before the Convention. [MR. HEALY:

Weeks.] Well, weeks. The hon. Members for Galway and Wexford were present at the Convention merely as spectators, because they were anxious to learn the views of the Irish in America with regard to Irish politics. Nothing was more natural than that the hon. Members should gratify a curiosity of that kind. The meeting at which the speeches to which the right hon. Gentleman had referred had been made was a meeting entirely dissociated from the proceedings of the Convention. It was not confined to delegates to the Convention, but was a public meeting that anyone had a right to attend. No casuistry on the part of the right hon. Gentleman could confound the meetings of the Convention—in which only duly-elected delegates could take part—with open meetings, or could confound a call for a Convention with the proceedings of that Convention. He should, however, leave his hon. Friends to defend themselves, contenting himself with the general observation that they did not take part in the proceedings of the Convention. If there was any Legislature in the world which ought to be slow to pass such a clause it was this House, for no country had its people more spread over the face of the earth than this country. Englishmen had gone forth with the spirit of the race North, South, East, and West, into every country of the world, and there was no nation which depended so much on the good feeling and conciliatory spirit of other Governments as England; and the Committee, therefore, ought to consider very carefully, and hesitate much, before adopting a course which would place that country in unfriendly relations with other Governments of the world. If ever there was a time when it was injudicious to pass such a clause it was the present day. They saw that serious complications were threatened which might endanger the relations of England with other European Powers. The condition of affairs in the East was critical, and at any moment they might be plunged in a general war. England was not a Military Power, and this was not a moment—for she had enough trouble on hand already—to rush into the enactment of a clause of this character, renewing such an Act as the Alien Act, in a manner that certainly would necessitate and precipitate unfriendly relations between England and America.

The hon. Member for Salford (Mr. Arnold) had made a wise remark when he had asked what was the reason this clause was before the House at all? It was because of the shameful neglect of Ireland by successive English Governments. If four-score years ago any care had been devoted by the Parliament of this country to the affairs of Ireland—if the Irish people had been properly fed, if clothes had been found for them and places to live in, if, in short, they had been treated like human beings, and had not been subject to being turned out wholesale from their houses by satraps—an Alien Act of this kind need never have been revived. There had been the hunger flight of 1848; tens of thousands fled across the Atlantic only to die in the fever dens of New York. There had been evictions, threatened famines, and miseries of all kinds since, which had driven so many Irishmen to America, until now they had in that country this powerful body of 15,000,000 or 16,000,000 people of Irish blood, which suggested to the Government the necessity of reviving an Alien Act such as this. The Committee had been told that every year and every month there were coming back to Ireland from America bodies of men who, either themselves or their fathers, went out poor and hungry, coming not in distress, but, owing to that industry which the Irish race always displayed where they had a fair opportunity of enjoying the fruits of it, with a little capital. The Home Secretary had lately admitted that nothing was more touching than the liberality with which the exiles of the Irish race had sent out of their means from America aid to their friends at home. But he (Mr. Sexton) could tell the right hon. and learned Gentleman that there was a feeling as strong in the breasts of Irish exiles as love for their friends, and that was love for their country. They did not leave their native land as the Scotch emigrants left theirs or the English emigrants left England—with no hope of returning. They always looked forward to their return, and the result was that in every district in Ireland there were to be found aliens of this class. Some of them had a taste for politics, whilst others had not; but all of them were in business. They were hated by the magistrates and aristocracy. To the ordinary magistrate or landlord the fact that a man had a soft hat, a pair of square-toed boots, and spoke with an American accent, condemned him at once—nothing to them was more horrible. They always looked upon an Irish-American as a living magazine of rebellion. Even though the Act might not be brought very extensively into operation, the fact that this full power might be exercised by the Lord Lieutenant on the private information of any person whose name would not be revealed would fill the minds of these people in Ireland—who had as good, nay, a better, right to be in Ireland than they had—with such a sense of insecurity that they would be more than likely to throw up their farms or other industries and go back to a country where they could draw their breath in peace. The Home Secretary might not be sorry to hear that; but the thousands of Irish in America, though they might grow slowly, grew surely, and if these people were driven back amongst them by the operation of this Algerine Act, it might re-act on Great Britain, and that before very long had elapsed. How would the Lord Lieutenant act? In this way. He would receive information in a private manner, and would order a man to leave the country in 24 hours. If that man still remained at the expiration of the 24 hours, the Lord Lieutenant might forcibly deport him, or throw him into gaol for a time and deport him afterwards. As to the power of appeal, it meant nothing. It meant, if it was exercised in favour of the accused, that instead of spending his time in prison until his case came before the Privy Council, he might spend it out of prison. When the accused—or person ordered to leave the Realm—appealed to the Privy Council, he would be given a summary of the matters alleged against him; but no proof of those matters had to be adduced. Unless he could prove that he was not an alien he would be deported out of the country. He (Mr. Sexton) stood on the statement he had already made, that it was impossible to call on a man to prove a negative. The Crown must prove that a man was an alien, because it might be so difficult as to be almost impossible for a man to prove that he was not. The Lord Lieutenant at the present moment had power to arrest aliens and throw them into prison. It was said that Irishmen had pleaded that the terrible crime which had been committed in Ireland was not committed by Irish people. He certainly believed that; but whether it was or not, was it not clear that the Lord Lieutenant, at the time of the crime, had, under the Coercion Act, powers as complete for the punishment of any suspected person as he would get under this clause? Why, then, was it that during the operation of the Coercion Act only six aliens had been arrested? The Lord Lieutenant should have some evidence before him before he deported a man as an alien; and he (Mr. Sexton) was entitled to assume—and he did assume with the most perfect confidence—as the result of the operations of His Excellency under the Coercion Act, that the evidence necessary to create suspicion against aliens was not forthcoming. Under the Act, if a person could not give a satisfactory account of himself, he could be arrested and sent to gaol. There was, therefore, a complete protection against aliens as well as against all other persons in the interest of public peace and tranquillity. The history of this clause was very peculiar. Up to last night it applied solely to Ireland; but last night, by what he might call the irony of politics, a Welsh Gentleman got up to move that Irishmen should be turned out of England. It was very strange that that step had not been taken by an Englishman, and that it was reserved for one of the intelligent and enterprizing natives of the Principality to discover that England was in danger, and move to expel aliens from England. The hon. and learned Member (Mr. Morgan Lloyd) had induced the Government, without valid reason having been shown for it, to extend the dangerous provisions of this clause to England; and if the Government, in the course of the next few years, found themselves embroiled with the American Government through the operation of the clause with regard to Irish-American citizens, they would have to thank the excessive ardour of the hon. and learned Gentleman from Wales. It was asked by an hon. Member—"Why do Irishmen interest themselves in the question of the removal of aliens from England?" The inability to understand how that was might arise from the limited capacity of the hon. Member's understanding. Was it not likely that Irish Members, who were so interested in the freedom of their own country, would be also interested, more or less, in the freedom of others? He was against the deportation of aliens, under such an Act as this, from Ireland, England, or any other country. Yesterday, to advance the question and suit the altered circumstances of the case, it had been necessary to fabricate an argument. For the first time Members heard that crime committed in Ireland had been plotted in England. This was a strange argument, and one would have thought it would have suggested itself to those who advanced it that if aliens could not plot crime in London they could plot it in Brussels or Paris. As long as the argument was that aliens committed crime in Ireland by their own hand, it was intelligible; but if aliens out of Ireland were plotting crimes which were to be committed by other persons in Ireland, the argument for the application of this clause to England was totally lost, because crime could be plotted not only in England, but in foreign countries also. If they once admitted the two factors—the person who committed the crime and the person who plotted it—it mattered not how far away the latter was from the former. Distance made no difference in the world to an individual's capacity for plotting crime. He should like to hear something about this matter from the Government. As he had said, the effect of passing this clause would be that England would be embroiled with other countries. The British Government had allowed the scum of the earth to congregate in London. So long as this scum of the earth confined itself to plotting treason against Foreign States, and regicide against Foreign Monarchs, and revolution against Foreign Commonwealths and States, the Government of England sat by in tranquil silence. But this high-minded Government, that cared nothing whilst assassination, revolution, and anarchy was being plotted against Foreign Rulers and States in England, took fire, and proceeded to resort to violent action, as soon as they thought there was a danger to themselves. That was the measure of it—of the morality of Her Majesty's Government. They thought that by deporting Irish-American citizens—because it was said it was against them alone that this clause was levelled—they would get rid of all they had to fear; but they would place themselves in danger of embroilment with the United States, who were not inclined to tolerate from England in the future that which they had put up with in the past. And when Russia saw them deporting American citizens, she would say—"You are turning out of your country American citizens who are plotting mischief; but you are allowing to remain persons who are plotting against our Monarch and our State;" and similar statements might be made by Germany, Austria, and other Continental countries. Appeals would be made to them from all parts of Europe to deport foreign subjects; every decaying Monarchy would apply to the Foreign Office to expel from this country persons who had sought refuge here from the tyranny of that Monarchy, and the saying that England was an asylum for the oppressed of all nations would be turned into a sarcasm and a bye-word.

Mr. JOSEPH COWEN said, that, allowing the facts to be as stated by the right hon. Gentleman, they were no answer to the contention of the opponents of the clause. The provision would not deal with them. They admitted that every Government ought to have a right in time of war or rebellion to expel either aliens or other persons whose presence in the country was dangerous to its safety. Every Government ought to have the power, under stress of circumstances, of proclaiming a state of siege or initiating martial law. On these points there was no difference between him and the Government. The difference arose as to the necessity for asking for these powers at the present time. He held that it was not necessary, and for these reasons. There was in America a large and, he regretted to say, a hostile Irish population. There were some millions of men of the Irish race who cherished towards the British Government very bitter feelings, and they had some justification for the bitterness. Many of them were the victims of past oppression; others had inherited traditions of the sufferings of their forefathers. And, to their lasting honour, they were desirous of trying to improve the conditions of those of their countrymen who remained at home. They sought to better them in two ways—By improving their social position and lifting them out of the desperate poverty into which misfortune and suffering had landed them; and, in the second place, by so altering the political arrangements that the greatest disqualification for holding office in Ireland should not be the fact that a man was an Irishman. These were the two points they sought to obtain—social betterance and political power. They tried to accomplish these ends 16 or 17 years ago by an open rebellion. They failed in that effort, and that failure had had a moderating effect on Irish-American opinion. The body of the Irish in America were strongly Conservative in their political views. ["No, no!"] Well, of course, that was a matter of opinion. Some hon. Gentlemen might differ from it; but he believed he had good authority for stating that the bulk of Irish-Americans at the present time were unwilling to aid their countrymen at home in any insurrectionary attempt; but they were anxious to help them in all legal and legitimate efforts to mend their condition. He felt satisfied that the right hon. Gentleman in his remarks had done injustice to Irish-Americans—no doubt unintentional injustice. [Mr. HEALY: No; intentional.] He could not endorse that opinion. He was quite satisfied that the right hon. Gentleman would neither do Irishmen or anyone else an intentional injustice. He might be wrong in his facts, and even if his facts were not wrong, his deductions from them might not be sound; but as to the honesty of his opinions there could not be, and he hoped there was not, any question. The right hon. Gentleman had changed greatly of late years, and the speech he had delivered that night was quite different in spirit from speeches he had delivered on previous occasions; but a man might change his opinions and moderate his tone and still be strictly conscientious and upright. No one did any good in politics by imputing bad motives to his opponents. He repeated, however, that he thought the right hon. Gentleman in his remarks had spoken more harshly of the Irish in America than the facts warranted; but they could let that pass. He contended that the clause under consideration would not serve them even if the Irish-Americans entertained the desperate opinions that the Chancellor of the Duchy had attributed to them; and it was a remarkable circumstance, too, that the Government in 1866 and 1867, during the Fenian insurrection, never applied for an Alien Act. It might have been justifiable then, and it was difficult to see how it could have been refused; but they did not apply for it then, though they were asking for it now, when the position of things was entirely different. But while he admitted that the mass of Irish in America were Conservative in their opinions, he was compelled also to admit that there was a section—he believed only a small section—that held views something like what had been attributed to the whole race. The strength of the faction that did entertain these views was grossly exaggerated. The Home Secretary was constantly warning them of the vast influence of Mr. O'Donovan Rossa and his party. He could not help smiling when the right hon. and learned Gentleman discoursed on the far-reaching powers of this terrible plotter. It was clear that the Home Secretary had an incorrect idea of the influence of Mr. O'Donovan Rossa. He had no wish to speak hard of an unfortunate man. ["No, no!"] Some hon. Gentlemen seemed to contest the appropriateness of using such a word; but he never followed the cowardly practice of kicking a man when he was down, however desperate he might be. Mr. O'Donovan Rossa was a man of great natural capacity and much force of character. He had been very harshly used by the English Government. The Chancellor of the Duchy himself had pleaded on his behalf in past times, not once, but often. Our hard treatment had driven the man desperate, and, in his desperation, he had certainly propounded projects to which no man of decency could give the slightest countenance. He was quite sure there was not the most remote justification for saying that O'Donovan Rossa or his doctrines had any hold or influence with the mass of the Irish people in America. He was surrounded by a mere handful of fanatics, but there were other men much more dangerous. The full, deep stream ran noiselessly; it was shallow brooks that brawled; and behind Mr. O'Donovan Rossa there were men whose names might be unknown, who harboured projects quite as dangerous, who were far more potent, and whom the Home Secretary seemed to have overlooked. Against them he was prepared to take any step, but his argument was that the clause under consideration could not reach those men. It was inoperative so far as they were concerned. It would would harm politicians, but it would not reach criminals. And in another way—and a serious way—it might involve this country in trouble. The Irish population wielded large political influence in America. They had a Caucus there in much greater perfection, he was glad to say, than they had in this country. The Irish could act through that Caucus, and they were sufficiently strong to make their vote worth purchasing by unscrupulous politicians in the States. Supposing aliens were unjustly and harshly driven out of Ireland, and supposing their case was taken up by the organized Irishmen in America, it was quite possible that men like Mr. Blaine or Mr. Conkling might feel it to be their interest to espouse the cause of the expelled aliens and make it a cause of quarrel with this country. A quarrel between the United States and England was a matter no man could look lightly on. Yet this was possible, more than possible, in the strained relations that existed between the Irish and the English Government. For these reasons, he contended that the Act, and especially the clause under consideration, would serve no useful purpose, and might be injurious, if not dangerous. The Home Secretary said the clause would be used temperately and leniently. He did not doubt the present Government's intentions, but that plea was not reliable. It was a remarkable fact that that had been the excuse of every despot who ever lived, and it was noticeable that men who had been the greatest despots were men of the highest personal character. He believed that even Nero was, personally, a well-intentioned and not unkindly man. He felt sure that the Viceroy and the Chief Secretary were incapable of using the power this clause would give them in a harsh or arbitrary manner; but it must be remembered that they would not have complete control. The exercise of this power would pass out of their hands into the hands of subordinates, and it would be impossible for them to control altogether those subordinates, who might use the power given them unwisely or vindictively. They had an instance of that in this country. There was a permanent Alien Act in force in the Channel Islands. By an old law the Government of the Channel Islands could banish any person whom they considered likely to become troublesome. That power was originated when England was at war with France, and the object was to enable the Government to expel any foreigners who might visit the Islands with the intention of betraying the armaments and military strength to other nations. But although the power was given for that purpose it had been used for other purposes. It had been used repeatedly for purposes of political persecution and vindictiveness, although it was many years since there was a war in which the safety of those Islands had been jeopardized. Thirty years ago, Victor Hugo and a number of French refugees published some criticisms of Louis Bonaparte, which the Governor of the Islands disapproved of; and, in order to please the French Emperor, M. Hugo and 40 or 50 other refugees were expelled from the Islands. They had been guilty of no offence, they had committed no crime; but by the simple order of the Governor they were driven from their businesses and their homes. There were several instances of a similar kind which had occurred since then. He himself brought the case of Colonel de Faby before the House, who was expelled in consequence of a quarrel between his wife and the Judge's wife. Other cases where this power to expel aliens from the Channel Islands had been used injuriously or cruelly had been brought before the House by Mr. Roebuck and by Mr. Joseph Hume. He feared that if this power was given for Ireland it might be used in a like manner, and that innocent and well-meaning persons would suffer injustice through its operations. There were no conceivable grounds for its application to this country. No man could say with truth that there was sympathy with crime of any kind. Any man guilty of an offence, whether against the Government or an individual, if brought to trial, and there was trustworthy evidence, would have a sentence recorded against him, and would receive the prescribed punishment. Therefore, there was not the slightest ground for adopting such exceptional powers in Great Britain. Yet they were going to apply the Alien Act to this part of the United Kingdom as well as to Ireland. Hon. Gentlemen had complained of the slow progress made with this Bill. They were told that discussions were unnecessarily prolonged, and that the speeches were prolix and irrelevant. But surely hon. Members had failed to realize the fact that last night, without any warning, the Government had, in a couple of hours, and in the presence of only one-third of the House, adopted an Amendment which practically re-enacted an Act of Parliament, which, if it had come before them in the form of a Bill, would have been a month at least before it passed through its various stages, and yet which, by their action of the previous night, would have effect as soon as this Bill was passed. The right hon. Gentleman said the Act of 1848 was passed to check the spread of Republican opinions. He knew that that was one of Sir George Grey's statements when the Bill was introduced; but Lord Russell, a Member of the same Government, said it was not only intended for the purpose of checking what he called dangerous opinions, but also to enable the Government to break up the haunts of assassins. It was the general belief in 1848 that there were societies formed by assassins who were plotting in all corners of Europe—in England and London as well as other places—and the Bill was intended to deal with them as well as their opinions. But the circumstances in 1848 and now were widely different. Then Kings were being dethroned, Constitutions overturned, and the whole Continent was in a state of violent political upheaval. No one, however, could maintain that any such disturbance prevailed now. The Continent was in a state of political quietude. It was true that there was a sort of social propaganda going forward, which was influencing affairs in Austria, Germany, and Russia. The opinions disseminated might be right or they might be wrong; he was not contesting either their accuracy or utility. They, no doubt, aimed a blow at many cherished convictions; but he did not suppose that the Government or anyone else at this time of the day would attempt to check the spread of these opinions by penal enactments. They might try, but they would certainly fail, as many other and stronger men than they had failed many times before. The Government might be all-powerful in their own estimation; but it was not in the power of either Monarchs or Ministers to stab a sentiment, to shoot an opinion, or to imprison a thought. The only way in which they could grapple with a propaganda of that kind was to show its incorrectness, demonstrate its impracticability, and do justice. They had heard a good deal of late about the decrease of Liberal opinion both in the country and in Parliament—he might almost describe it as the decadence of Liberal opinion. Nothing more disheartening to earnest Radicals than the speeches which had been delivered during that debate could be conceived. There was no man for whom he had a greater respect than his hon. Friend the Member for Bedford (Mr. Whitbread). He was an admirable Representative of a form of political thought that had done vast service to the State in times past, and was still capable of rendering efficient aid. Personally, he was incapable of either intolerance or illiberality; and yet, from the speech which the hon. Member had made, arguments in support of the most harsh form of arbitrary rule could be deducted. That hon. Member had a famous ancestor, who had in that House pleaded for principles which he and a few other Members were at that time championing under such disadvantages and with such little encouragement. If anyone would compare the speeches of the Whitbread of former times, when he opposed the re-imposition of the Alien Act, with the speech of the hon. Member last night, the difference between them would register the descent in Liberal principles in that space of time. He regretted that the hon. Member should have lent the countenance of his name to such a clause as this. It was a fact, he feared—a melancholy fact—that Englishmen generally were now so far removed from the day when they had to struggle and suffer for their liberty that they had become indifferent to the obligations it imposed, and careless of the responsibilities its possession threw upon them.

Mr. HEALY said, this was the third or fourth time that the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) had treated the House to a re-hash of his views of the Chicago Convention. He should have thought that this, like another subject, was somewhat musty; but, of course, seeing the want of argument which the Government had shown all through the discussion on this Bill, and seeing also the poor figure the Chancellor of the Duchy had played of late, he did not think the Committee could be surprised if the right hon. Gentleman had felt bound to fall back, for the third or fourth time, on such a small matter as the Chicago Convention. Those who knew the character of the right hon. Gentleman in that House, and who had seen how men could play the part of political renegados, did not feel concerned in that House to take any notice of anything the right hon. Gentleman might say. But that right hon. Gentleman, whose acts were not so closely watched outside the House as inside, might still have something of authority, and on the chance of that he he would just make a slight reference to the speech of the right hon. Gentleman. The right hon. Gentleman taunted Irish Members with being traitors to the Crown. What was the Crown? Was it the Mace on the Table? Was it the Sovereign of these Realms? He remembered, and, no doubt, the Chairman, as a Caledonian, remembered, the words of the old Jacobite song—

> "Wha' the De'il ha' ye gotten for a King,
> But a wee wee German lairdie."

That was the view Predecessors of some hon. Gentlemen in that House took of the Crown. But when he heard the Crown referred to in vague and shadowy terms, he was bound to confess that he did not know what it meant. But he did know to whom his allegiance was due; his allegiance was due to his countrymen. His first allegiance was due to his country, and his last allegiance was due to his countrymen; and any allegiance that stood in the way of the betterance, improvement, and advancement of his country he should despise. He had been told that he signed the Call of the Chicago Convention—proud he was thereof. He had been told that wild words were spoken at that Convention. Wild words were spoken in that House; but was the Chancellor of the Duchy responsible for everything that occurred in that House? And was he responsible for everything that occurred at the Chicago Convention? Or was Her Most Gracious Majesty responsible for everything that occurred in Parliament, because she "signed the Call" for the meeting of Parliament? That was an argument worthy of the later years of the Chancellor of the Duchy of Lancaster. The right hon. Gentleman's speech, reproducing, as it did for the third or fourth time, his reference to the Convention, wanted one element of its own old vigour. The right hon. Gentleman should have reproduced his old reference to the "cocked hat." He (Mr. Healy) had denied that matter half-a-dozen times, and still the Chancellor of the Duchy had repeated it.

Mr. JOHN BRIGHT: I never mentioned that but once, and I never referred to the Convention but once in this House. Perhaps the hon. Member might be a little more accurate in his statements.

Mr. HEALY said, perhaps he could brighten up the memory of the right hon. Gentleman. It was true he had put in a saving clause, with the ingenuity of a Chancellor of the Duchy, that he had never mentioned the matter in that House but once; but if he did not mention it in the House, he had mentioned it outside—at Birmingham, for instance; and it was somewhat disingenuous of the Chancellor of the Duchy to get up and attempt to bowl him over with the statement that he had never mentioned the matter in the House.

Mr. JOHN BRIGHT: Which statement?

Mr. HEALY said, he would proceed.

Mr. JOHN BRIGHT: Which statement does the hon. Member mean? Does he mean that about the "cocked hat," or about the Chicago Convention? With regard to the question of the "cocked hat," I never mentioned that in the House, but I mentioned it once at Birmingham; and the Convention I mentioned once at Birmingham and once before in this House.

Mr. HEALY said, including the present occasion, that made three times altogether; and he was thankful to the right hon. Gentleman for proving his case. He had said the right hon. Gentleman mentioned the matter three times; and the right hon. Gentleman mentioned it once at Birmingham, once in that House before, and once again to-night. He thought the right hon. Gentleman's speech was not complete, as a whole, without some reference to the "cocked hat," seeing that each time he had mentioned the Convention he had mentioned the "cocked hat." Each time the Chancellor of the Duchy had mentioned it he had denied the matter; but what was the use of his denying it? The Chancellor of the Duchy had the monopoly of assertion, and it was a case of—

> "When I ope' my mouth let no dog bark."

When the Chancellor of the Duchy spoke, no man must contradict him. He himself had no abstract respect for Chancellors of Duchies, or any other holder of a sinecure; and he would like to recall the attention of the Committee to a true statement of what took place at the Chicago Convention. When he landed in America the hon. Member for the City of Cork (Mr. Parnell), and most of the friends he had in the world, were in gaol. It would have been his pride and pleasure to have been there with them; but, by the special request of his Friends around him, he went to America, and if they had asked him to go to the North Pole he would have gone. When he landed in America Ireland was in a condition in which all hope of improvement was suppressed, when nothing but the British Government, backed by laws and bayonets and buckshot, had any sway in the country.

An hon. MEMBER rose to Order, and said: Is the hon. Member addressing himself to the subject before the Committee? The hon. Member seems to be addressing himself to the subject of the Convention.

THE CHAIRMAN said, the hon. Member for Wexford was replying to the reference of the right hon. Gentleman the Chancellor of the Duchy of Lancaster respecting the Chicago Convention.

MR. HEALY said, it was all the same to him whether he was ruled out of Order or not, for he never had desired to speak in that House as a favour, and he did not desire to now. He would go on if he was allowed. When he landed in America every honest man he knew was in gaol, while village ruffians and village tyrants were at the head of affairs. No man dared open his mouth, and all honest attempt at the expression of opinion was crushed, and a person called Forster was signing warrants on the sole authority of his name to send better men than himself to prison for 18 months.

COLONEL STANLEY rose to Order, and asked whether a reference to a right hon. Member of that House by name by another Member of the House in connection with matters of administration on the part of the Government was in Order?

THE CHAIRMAN: I understood that the hon. Member had referred to a Member of the Government who was in Ireland when he landed in America, and did not refer to him as a Member of this House. Of course, everyone understood to whom he referred, and I think the hon. Member himself must feel that his expression was indecorous.

MR. HEALY, continuing, said, when he landed in America a number of Irishmen in New York came round him, and suggested that, as the landlords were getting power to turn people out of their holdings, and were being urged to do so by the person to whom he had referred, there should be a demonstration of the strength of feeling by men of Irish blood in America to show that, no matter what troubles and trials their countrymen might be going through across the ocean, there were men who had Irish blood in their veins, and who knew how to give something in the nature of sympathy and support to their fellow-countrymen. He signed the Call for the Convention, appealing to every man who had sympathy with liberty and who hated oppression, and he did so in conjunction with three of the noblest men either on the American Continent or any other Continent—namely, Patrick Collins, Boyle O'Reily, an ex-Fenian convict, and Patrick Ford, of *The Irish World.* That Convention assembled, but he never opened his mouth at it. He had told the Chancellor of the Duchy that before; and, although his word might not amount to much in that House, yet wherever the speech of the right hon. Gentleman went, whether in Ireland or America, his denial would be thought as much of as any affirmation made by the right hon. Gentleman. That Convention met, and, although he was not present all the time, no doubt there were wild words used; but, had they been ten times as wild, he himself was no more responsible for them than hon. Members on the other side of the House who disliked them. He thought it was a mistake to bark unless people could bite; and, therefore, he condemned absurd rubbish of that kind. There were speeches delivered at a meeting in Chicago held independently of the Convention at which he was present, and everything he had said he would stick to and maintain, and was not ashamed of it. If any hon. Member would quote his words in that House, he was prepared to repeat them here, or in America, or anywhere else. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had stated that he had used words in that House wilder than any he had used in Ireland, and that in America he had used words wilder than in Ireland or in that House. That was malevolently incorrect. The masses in America did not want wild words. On the contrary, dealing with the American-Irish as a whole, he found them the most Conservative body of men he had ever met. Every Irishman in America engaged in this movement had some little property, and there was nothing made a man so Conservative as the possession of property; and everyone of them, when people went in for stuff about the human race, knew that charity began at home, and that the necessary thing for people to do was to put their own house in order first before troubling themselves about the human race. Therefore, he maintained that the Irish people in America were the most Conservative men in the world, and a dozen times more so than the Irish in England; and when he heard Chancellors of Duchies talking about the dynamitism of Irishmen in America he could only pity their ignorance.

Mr. T. P. O'CONNOR wished to say something with reference to the Chicago Convention. It was true that he was one of the signatories of the Call of that Convention, but it was untrue that he made any speech. Some of his countrymen called for him to speak at the Convention, but he declined; and some of the expressions to which the Chancellor of the Duchy had referred as having been made at the Convention he himself had not heard. He would state what took place. At the close of the Convention a subscription was called for, and, as he had gone to America mainly to raise subscriptions for the Irish people, when the subscriptions began to be announced as a matter of business, he was anxious as to the amounts; and, in consequence, he paid no attention to any observations which accompanied the subscriptions. He did not consider himself at all bound by any expressions used by persons at the Convention; and he could tell the Chancellor of the Duchy, who had a far longer acquaintance with politics than he himself, that by calling attention to foolish and stupid remarks, he gave them an importance they otherwise would never have had. The right hon. Gentleman was in Dublin some years ago and attended a meeting at the Mechanics' Institute. At that meeting the right hon. Gentleman was very greatly interrupted. He (Mr. T. P. O'Connor) was in Dublin at the time, and he well remembered what happened; at least, he remembered reading the newspaper reports of the proceedings at the meeting. Surely the right hon. Gentleman was not responsible for the disorderly cries at the meeting at the Mechanics' Institute in Dublin, any more than he (Mr. T. P. O'Connor) was responsible for the cries from persons at the Chicago Convention, who very probably belonged to the same school of political thought as the men who interrupted the Chancellor of the Duchy at the Dublin meeting. He understood the charge was that his hon. Friend (Mr. Healy) and himself (Mr. O'Connor) appealed to the Irish people in America for aid. Was that wrong? If it were wrong, he was inspired to appeal for aid by the eloquent words uttered by the right hon. Gentleman, for when he was in Dublin once he wound up a powerful speech by saying that—

> "When the Irish peasant looks for food, freedom, and blessing, his eyes are turned towards the setting sun."

It was towards the setting sun he (Mr. T. P. O'Connor) went to get assistance for those people who the right hon. Gentleman was, under the Coercion Act of last year, depriving of food, freedom, and blessing. That was not the only answer he had for the right hon. Gentleman. He supposed that by attacking the hon. Member for Wexford (Mr. Healy) and himself (Mr. O'Connor) for the third time the Chancellor of the Duchy thought he would divert attention from some passages in his own career. He would remind the right hon. Gentleman that the question raised by this clause with regard to aliens was no new question in English politics; the right hon. Gentleman knew very well that there was a time when this question shook the country to its very centre; there was a time when responsible Ministers of the day—just like the responsible Ministers of to-day—declared that London was being used as a place in which to hatch murderous conspiracies. Hon. Gentlemen talked of the atrocities that had been committed or menaced by O'Donovan Rossa and his confederates; but even what these men had done or contemplated sank into insignificance before the terrible deeds of Orsini at Paris, when 16 persons were killed and 120 injured. At that time a Conspiracy to Murder Bill was brought in to prohibit assassins plotting in this City. What did the present Prime Minister and the present Chancellor of the Duchy of Lancaster do on that occasion? They spoke against the Bill; the right hon. Gentleman the Chancellor of the Duchy seconded the Amendment against the Bill, and he was one of the Tellers in the Division in which the proposal of the Government was defeated. The proposal was that measures should be taken to assist the Executive of the day to detect and put down murderous conspiracies in London against the Emperor of the French. This clause carefully guarded, according to the statement of the Prime Minister, the right of asylum. It was only to be used, said the Prime Minister, against those who were plotting against the internal peace of the Kingdom. The meaning of that was, that the Nihilist in London could plot his murderous schemes against the Czar of Russia, could lay his plans for blowing up Palaces and streets by the score, and the detectives of Scotland Yard, even if they saw him doing these things, were instructed by this clause to walk by. The German Socialist might plot another attack to put—in the words of Prince Bismarck—the Emperor of Germany in his blood, and the detective of Scotland Yard must pass on the other side of the street, and not look at him. As murderous conspirators were defended and sheltered by the two right hon. Gentlemen in 1858, they were sheltered and protected now by the clause to which the right hon. Gentlemen were giving their support. If Foreign Governments demanded the extradition of their subjects whom they suspected of plotting murder against them, and if the English Government based their refusal on the sacred right of asylum, Foreign Governments would have a right to turn back to the pages of history and look up the votes of the Chancellor of the Duchy, and Foreign Governments and Foreign Sovereigns could not be blamed if they repeated the old proverb, that "Curses, like chickens, come home to roost."

Question put.

The Committee *divided*:—Ayes 132; Noes 30: Majority 102.

AYES.

Acland, Sir T. D.
Agnew, W.
Allen, H. G.
Armitage, B.
Armitstead, G.
Balfour, J. B.
Barttelot, Sir W. B.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brassey, Sir T.
Briggs, W. E.
Bright, rt. hon. J.
Brinton, J.
Broadley, W. H. H.
Bruce, rt. hon. Lord C.
Buszard, M. C.
Campbell, J. A.
Campbell, Lord C.
Campbell-Bannerman, H.
Carington, hon. Col. W. H. P.
Causton, R. K.
Chamberlain, rt. hn. J.
Clarke, J. C.
Cohen, A.
Collins, T.
Cotes, C. C.
Courtney, L. H.
Cowper, hon. H. F.
Crichton, Viscount
Cropper, J.
Crum, A.
Dalrymple, C.
Davey, H.
Dilke, Sir C. W.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, R. W.
Elliot, hon. A. R. D.
Fawcett, rt. hon. H.
Ferguson, R.
Ffolkes, Sir W. H. B.
Firth, J. F. B.
Fitzwilliam, hn. H. W.
Fitzwilliam, hon. W. J.
Fowler, R. N.
Fry, T.
Gladstone, rt. hn. W. E.
Grant, A.
Grant, D.
Grant, Sir G. M.
Gurdon, R. T.
Hamilton, right hon. Lord G.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hay, rt. hon. Admiral Sir J. C. D.
Hayter, Sir A. D.
Herschell, Sir F.
Hibbert, J. T.
Hill, Lord A. W.
Holland, Sir H. T.
Hollond, J. R.
Holms, J.
Howard, E. S.
Jackson, W. L.
James, Sir H.
Jenkins, D. J.
Kingscote, Col. R. N. F.
Kinnear, J.
Leatham, W. H.
Lefevre, rt. hn. G. J. S.
Lennox, Lord H. G.
Lewisham, Viscount
Lloyd, M.
Lowther, rt. hon. J.
M'Arthur, A.
M'Intyre, Æneas J.
Mackie, R. B.
Mackintosh, C. F.
Macliver, P. S.
Macnaghten, E.
Mappin, F. T.
Marjoribanks, E.
Martin, R. B.
Maskelyne, M. H. Story-
Mason, H.
Mellor, J. W.
Milbank, Sir F. A.
Mills, Sir C. H.
Morgan, hon. F.
Morgan, rt. hn. G. O.
Mundella, rt. hon. A. J.
Newport, Viscount
Palmer, J. H.
Parker, C. S.
Pease, A.
Peddie, J. D.
Plunket, rt. hon. D. R.

Porter, A. M.
Powell, W. R. H.
Ramsden, Sir J.
Rathbone, W.
Richardson, T.
Rogers, J. E. T.
Round, J.
Russell, Lord A.
Rylands, P.
Samuelson, H.
Schreiber, C.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Stanley, rt. hn. Col. F.
Stanton, W. J.
Stewart, J.
Talbot, C. R. M.
Talbot, J. G.
Tavistock, Marquess of
Thornhill, T.
Tollemache, H. J.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Warton, C. N.
Waugh, E.
Whitley, E.
Whitworth, B.
Williams, S. C. E.
Winn, R.
Wodehouse, E. R.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

NOES.

Biggar, J. G.
Blake, J. A.
Byrne, G. M.
Callan, P.
Commins, A.
Corbet, W. J.
Cowen, J.
Dillon, J.
Gill, H. J.
Gray, E. D.
Healy, T. M.
Hopwood, C. H.
Lalor, R.
Leamy, E.
M'Carthy, J.
Martin, P.
Marum, E. M.
Metge, R. H.
Molloy, B. C.
Nolan, Colonel J. P.
O'Connor, A.
O'Connor, T. P.
O'Gorman Mahon, Col. The
Parnell, C. S.
Power, J. O'C.
Sexton, T.
Smithwick, J. F.
Storey, S.
Sullivan, T. D.
Synan, E. J.

TELLERS.
Power, R.
Sheil, E.

Clause 13 (Power of justices to summon witnesses).

Mr. SYNAN moved, in page 7, line 1, after "committed," to insert "and sworn information thereof made." It might be said that this clause commenced the inquisitorial part of the Bill, and for the purpose of confining the operation of the Bill within certain specified limits he introduced this Amendment. Unless sworn information were given as to the offence, it would be totally impossible for the magistrate, on hearing of an offence, to know what the character of it was. If such information were supplied the magistrate would know what witnesses would be required. He did not see what possible objection Her Majesty's Government could have to the Amendment.

Amendment proposed,

In page 7, line 1, after the word "committed," to insert the words "and sworn information thereof made."—(*Mr. Synan.*)

Question proposed, "That those words be there inserted."

Mr. DILLON said, it surely could not be possible that the Government were not going to answer his hon. Friend (Mr. Synan); he waited to see whether any Member of the Government showed any wish to rise. He could hardly bring himself to believe that the Government would refuse to accept the Amendment. Clauses 13 and 14 must be read together, and they constituted the most odious provision that could be imagined. The real object of these clauses was to extract evidence from unwilling witnesses by a process which was prevalent in the Middle Ages. If any Justice believed, upon the information of a policeman, that a person was about to abscond, or had absconded, he might issue his warrant for the arrest of such person, and cause the man to be imprisoned until the time at which he was bound by his recognizances to give evidence. Before they went any further, he wanted the Government to explain what was meant by offence. By offence, did they mean any of the offences which were detailed in any of the Blue Books on Irish outrages? Would it be considered an offence to break a window or to fire a shot outside a house at night? Suppose it had been reported to the police or to the Resident Magistrate that a number of shots had been fired outside a house at night, and that warning had been given to the inhabitants of the house not to pay rent, a Resident Magistrate might, in such a case, say, as it had often been said by men in high position, that the whole population of the district were privy to the transaction; and the magistrate, without more ado, and without any sworn information, might summon as a witness any individuals residing in the district who he might think obnoxious persons. The magistrate would, no doubt, summon the men who were the officers of the late Land League, or men who were prominent in the recent political movement. The next process would be that the Head Constable would, under the direction of the magistrate, say the men were going to abscond; and the next step would be that the men would be committed to prison as absconding witnesses, when, perhaps, no offence at all had been committed. These clauses—13 and 14—would constitute a Coercion Act fundamentally worse, and more unlimited in its action, than the Coercion Act now drawing to a close. The 13th and 14th clauses of this Bill would form an Act in themselves much worse, because more unchecked, than the Protection of Person and Property Act, which that House and the Government now contended was positively useless. What was to be considered an offence? Some explanation must be given upon that head, because, as the clause now stood, an offence might mean a quarrel between two drunken men, might, in fact, mean anything that a magistrate chose to call an offence. He and his hon. Friends were also entitled to demand that the very reasonable words suggested by the hon. Member for Limerick (Mr. Synan) should be here inserted. Of course, nothing would convince him, in the least degree, of the wisdom of these clauses; and he would take another opportunity of speaking upon the principle embodied in them.

The ATTORNEY GENERAL (Sir Henry James) said, he noticed that the hon. Member for Limerick (Mr. Synan) had upon the Paper a second Amendment, in which he asked that the information should be information against the person charged. This clause did not contemplate that there would be any person charged with the offence; and if the hon. Member would understand distinctly that this Amendment must not be regarded as having any connection with the second Amendment of which he had given Notice, the Government would be disposed to meet the views the hon. Gentleman had expressed. Bearing in mind that the object of the clause was to get evidence, it occurred to the Government that there was no objection that there should be information brought to a magistrate in some way that an offence had been committed. It would, however, be necessary to alter slightly the first line of the clause, so that it would read thus—"Where sworn information has been made that an offence has been committed;" and he would suggest that such an Amendment should be adopted. The hon. Member for Tipperary (Mr. Dillon) had asked for some definition of "offence." He (the Attorney General) would be glad to adopt words making it clear that offences under this clause should not include such minor offences as those mentioned by the hon. Member; but beyond that he could not go. If the hon. Member would withdraw the Amendment, and move "sworn information has been made of the offence committed," it might be accepted.

Mr. T. D. SULLIVAN wished to know whether treason-felony would be included—whether the neighbours round about would be called to give evidence as to that?

The ATTORNEY GENERAL (Sir Henry James) said, he saw no reason why they should go beyond the words of the Act of 1870—namely, the words "felony and misdemeanour." He would not give a positive pledge, but he should think these words would be sufficient.

Mr. J. LOWTHER said, he hoped the hon. and learned Gentleman did not mean to exclude the words "treason-felony."

The ATTORNEY GENERAL (Sir Henry James) stated that he had not said that.

Mr. P. MARTIN said, he was surprised to hear the right hon. Gentleman (Mr. Lowther) object to the suggestion that had been made by the Attorney General. It might be desirable to remind the Committee that in the Peace Preservation Act of his (Mr. Lowther's) own Government the words of the Act of 1870 were followed. The 13th section which was then re-enacted ran thus—"Where in any proclaimed district it shall appear that any felony or misdemeanour has been committed." The clause, he thought, ought to be amended, as suggested, on Report.

The ATTORNEY GENERAL (Sir Henry James) said, the right hon. Gentleman opposite asked whether the clause was to deal with the question of treason or treason-felony? The object was to get evidence against a person who was unknown at the time that evidence was required. In cases of treason and treason-felony the traitor was known.

Mr. SYNAN said, he would accept the Amendment of the Attorney General, which would retain the words—"Where sworn information has been made that an offence has been committed."

Mr. J. LOWTHER said, he did not wish to anticipate the result of the deliberations of the Government on this matter; but he must protest against the doctrine which was now laid down, that it was always known who had committed treason-felony. He believed there had been a great number of acts of treason-felony, where the person who had committed them had not been convicted, or known quite so rapidly as the hon. and learned Gentleman appeared to think. He (Mr. Lowther) must caution the hon. and learned Member against thinking that he could deal with the clause on the assumption that he could always lay his hands immediately upon the person who had been guilty of treason-felony. He thought he noticed laughter emanating from below the Gangway when the hon. and learned Gentleman gave vent to his very confident expression as to the capacity of the Executive to lay hold of persons guilty of treason-felony. He thought he saw symptoms of merriment amongst hon. Gentlemen below the Gangway. ["No, no!"] At any rate, he was right when he said that the term "offence" included "treason" and "treason-felony" as much as any other offence. He hoped that no distinction would be drawn between any other "offence" and treason or treason-felony.

THE CHAIRMAN: Order. When we have done with this Amendment, I have a manuscript Amendment to define offences.

SIR GEORGE CAMPBELL said, he hoped that it would not be required that these prosecutions should be initiated by private prosecutors. When an attack had been made on an individual, that person might not in every case care to come forward to prosecute.

THE ATTORNEY GENERAL (Sir HENRY JAMES): The policeman will swear the information.

SIR GEORGE CAMPBELL said, the policeman might not have seen the offence committed. If he could make inquiries, and, on the result of those inquiries, swear an information, it would be all right.

Amendment (*Mr. Attorney General*) *agreed to.*

Amendment (*Mr. Synan*) *negatived.*

MR. T. P. O'CONNOR said, the right hon. Gentleman the Chief Secretary, following the example of his hon. Friend the Member for Tipperary (Mr. Dillon), had rather anticipated the discussion as to the Amendment which he (Mr. O'Connor) now proposed. As the clause stood, as his hon. Friend had pointed out, for knocking down a hay-stack, knocking down a wall, or interfering with a telegraph wire—each offence being amongst the smallest which could be committed, although they were put in the Government Returns, and swelled the grand total upon which the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had obtained his Coercion Act—a man could be put in prison. It would be irrational for an offence of such a trivial character to justify a resort to the stringent penalties imposed under the Bill. That which the right hon. Gentleman would substitute would go by no means far enough; and he thought he could carry the right hon. Gentleman along with him, and everyone concerned, when he said that these severe Clauses 13 and 14 gave power to bring witnesses into Court before anyone had been charged with an offence, and to imprison them if a policeman or other official entertained a fear that they would abscond. It could never have been intended to put these powers in operation except in regard to offences of a very serious character. The right hon. Gentleman thought he met their view by saying he would take the definition given in the Act of 1870—namely, the offence "being felony or misdemeanour." ["No, no!"] Well, if he did the right hon. Gentleman an injustice, he would withdraw the statement. He had understood the right hon. Gentleman to say that the definition would practically amount to this, that the offence would be in the nature of felony or misdemeanour. "Felony or misdemeanour" was a very wide term. He was not sufficiently acquainted with the law to say what was or what was not a misdemeanour; but he believed it would include very trivial as well as very grave offences. He thought, however, that the same serious offences which had suggested the suppression of trial by jury should be those which would justify the new form of inquisition proposed in this clause. There were two sets of words which the Government could take their choice of. He would propose that either these words should be inserted, "the said offence being an offence under Clause 2 of this Act," or the words which formed the Amendment he was now moving—

"The said offence being murder or manslaughter, or an attempt to murder, or an aggravated crime of violence against the person, or an attack on a dwelling-house."

He had left out the words "treason or treason-felony," because, in the first place, he did not think that at this stage of the Bill they ought to encumber it with controversial matter; and the question whether treason or treason-felony were or were not offences which should be brought under this Bill was a question of serious disputation, serious differences of opinion existing with regard to it. The hon. and learned Member for Roscommon (Dr. Commins) gave a definition, in an Amendment he was about to move, which was even more objectionable than that offered by the right hon. Gentleman, because "an offence under this Act" might be of a most trivial character. A meeting might be announced, it might be prohibited by the Lord Lieutenant, and 20,000 people might attend, knowing of that prohibition. Every one of these people would be guilty of an offence under the Act, and, that being the case, the landlord would have the full right under the clause to summon witnesses before the Court, and, on the information of a police constable that the witnesses were likely to abscond, to imprison them. No doubt, to give a subscription to the Ladies' Land League would be constituted into "an offence under this Act," and would enable a magistrate to put this clause into operation. If the Amendment, therefore, of the hon. and learned Member for Roscommon were proceeded with, and were to be accepted, it would give more power—and he hoped his hon. and learned Friend would take these remarks in a good-humoured spirit—than even the voracious appetite of the right hon. and learned Gentleman the Home Secretary would demand.

Amendment proposed,

In page 7, line 1, after the word "committed," to insert the words "the said offence being murder or manslaughter, or an attempt to murder, or an aggravated crime of violence against the person, or an attack on a dwelling house."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could not accept the Amendment, and he thought he had explained why. The word "offence" was too wide, as it would include matter of a minor character. It would include, for instance, a case of a person being intoxicated, or a case in which a person would be fined 5*s*. for disorderly language. At the same time, as they were creating new offences, there might be some things which were only misdemeanours which it might be necessary to deal with under the clause. He wished hon. Gentlemen to accept the view that minor offences would not be included under the clause; but the Government wished to have time for consideration before they decided what offences to include. The hon. Gentleman opposite (Mr. O'Connor) moved manuscript Amendments on the spur of the moment, and the Government could not accept them.

MR. J. LOWTHER said, that, in regard to the offences to be included, he trusted the hon. and learned Member would not lose sight of the desirability of including felony and treason-felony. The hon. and learned Member had said that cases of drunkenness would come under the term "offence," and it was not desirable to include such trivial matters. He (Mr. Lowther) would have thought that such points might reasonably be left to the common sense of the judicial tribunals; but, at any rate, whatever the definition was, it should be wide enough to include treason and treason-felony.

MR. JUSTIN M'CARTHY said, this Amendment had been drawn in haste; still, it involved an important principle on which the right hon. Gentleman the Chief Secretary must have an opinion. The right hon. Gentleman who had just spoken (Mr. Lowther) said treason or treason-felony should be included, and on that point they would like to have some assurance. The clause in itself seemed to be of little moment; but, certainly, if it was to apply to cases of treason or treason-felony, it would be very objectionable. The object of the Amendment was not so much to exclude the minor offences referred to by the Attorney General as to get rid of the offences of treason and treason-felony. Nothing that the Government could do would enable them to extract evidence from unwilling witnesses.

DR. COMMINS said, the concession the Government had promised they worded by saying "felony or misdemeanour under this Act." Felony and misdemeanour "under the Act" were defined in the Act, and there was no difficulty in ascertaining what they were. Treason and treason-felony and the smaller offences would be left out. The Attorney General would hardly consider that a minor offence would be one for which a man could receive six months' imprisonment, yet a person could receive that punishment for a misdemeanour. It would be dangerous to leave this power to the magistrates in regard to offences for which a person could receive six months' imprisonment; therefore, he would suggest that the word "felony" should be used. Those who were well acquainted with Irish history would know that a very evil effect might be given to these clauses, and that there was a danger under them of the revival of the objectionable system of picketing practised under earlier Coercion Acts.

Mr. DILLON said, he thought the Attorney General had met them very fairly on this question of the offences; and, so far as he was concerned, he did not wish to press the matter further. The hon. and learned Gentleman's contention was a very reasonable one, that he required some time to consider what his definition should be. They, of course, reserved their right to discuss that definition; and he would only say that he hoped the Government would not be led away by the arguments of the right hon. Gentleman on the Front Opposition Bench (Mr. Lowther), and be induced to include treason and treason-felony in the clause. If they were induced to include those offences, they would render the clause exceedingly harsh. He regarded the whole clause as utterly indefensible and atrocious; but if the Government did not adhere to their original intention, and confine the section simply to certain agrarian offences; if they included treason and treason-felony, it would simply amount to saying that the whole population of Ireland might be locked up and kept in prison until they swore against each other. They were told that half the population of Ireland were implicated in treason, and magistrates would be found ready to act upon such a theory.

Mr. T. P. O'CONNOR said, he should be quite willing to adopt the course approved of by his hon. Friend the Member for Tipperary (Mr. Dillon), if the hon. and learned Gentleman the Attorney General were a little more definite in his statement. To ask the hon. and learned Gentleman to accept an Amendment suddenly put before him, and only in manuscript, was making, no doubt, a large demand upon him: but, at the same time, he wanted him to know what their view of the clause was, and to let them know what his (the Attorney General's) view of it was. The hon. and learned Member had still left himself a wide scope. Perhaps that had been his object. [The Attorney General (Sir Henry James): Yes.] The hon. and learned Gentleman said it was. He would understand that, on the other hand, it was their object to leave him as little scope as possible. The Government ought to strictly define what their position was, for they were putting off so many questions to the Report stage that, even with Mr. Speaker in the Chair and hon. Members having only the right of speaking once, there would be such a large number of points to consider that many days would be occupied in that stage. The Government had promised to exclude minor offences; but many major offences were so trivial that they ought not to come within the clause, and their inclusion would be a source of immense injustice and oppression. He was sure, knowing the kind of people who would have to administer the Act, it would be considered an offence for which six months' imprisonment might be awarded for a person to attend a meeting which had been prohibited by the Lord Lieutenant, and deliver a vehement speech at such meeting. If a person did act in that way, and he was not known to the police, and his name did not get into the newspapers, would the Attorney General say that everyone who attended that meeting, and listened to that speech, would be liable to be called upon to give evidence, and to be imprisoned until they did do so at the behest of a policeman? He understood by the gestures of the hon. and learned Gentleman that that kind of case would not come within the operation of this clause; but it would be a serious offence under the Bill, for if a man put forward a "Boycotting" notice, which turned out to be ineffective, he would unquestionably get six months of hard labour under the clause. Would the hon. and learned Gentleman contend that posting a single "Boycotting" placard, without the offender being discovered, ought to justify a magistate in putting every man in prison who might be suspected by the police? He did not think he was putting too much pressure on the hon. and learned Gentleman when he asked him for a closer definition.

Mr. TREVELYAN said, the Government had spoken very clearly on this matter, and it would be impossible at that moment to draw up an Amendment. The Government would bring this matter up on Report, and quite enough had been said to enable the Committee to thoroughly understand the views of hon. Gentlemen opposite, and the general views of hon. Members in the House; and, therefore, the Government had all the evidence they required.

Mr. MARUM said, the hon. and learned Member for Roscommon (Dr. Commins) and himself had put down Amendments to this clause which would enable magistrates to summon any person whom they had reason to suppose was able to give material evidence; but, as the clause stated, the word "evidence" included not merely evidence under the 1st section, but also under the 4th section, such, for instance, as exclusive dealing; so that to allow a magistrate a capricious right to summon whom he pleased without something like sworn information would be to give too extensive a power. Their object was to limit the discretion of magistrates, and not allow them to summon persons arbitrarily. The only difference between himself and his hon. and learned Friend was that his hon. and learned Friend required that there should be some reasonable grounds, while he only desired that there should be some sworn statement.

Mr. WARTON said, he thought it might save time if the Government clearly understood that the Committee did not want this provision put off to Report. It was utterly unnecessary to reserve this clause for Report. If it was reserved, there would then be another disquisition as to what was felony, and what was misdemeanour. What was wanted was a strong Executive in Ireland, and the magistrates must be trusted. If they did not trust the Executive in Ireland this Bill would be no use. He urged that there should be an end of this perpetual reserve by the Government to Report, while crime was stalking through Ireland, and murder was committed day after day.

Mr. SEXTON said, he thought it must be instructive to the Committee to hear the views of an hon. Gentleman whose mind was so thoroughly saturated with a knowledge of Ireland. With regard to offences under the clause, they would be proveable by the police under Part II., or by witnesses who were willing to come forward. He merely asked the Attorney General to consider that point, and would simply add, with regard to offences under Part I.—treason, murder, felony, arson, and so on—if a magistrate had the right to forcibly examine witnesses, he would then have all the right required; and he thought his hon. Friend was logically consistent when he asked that this power should not be exercised in regard to those other offences with regard to which trial by jury was suspended.

Mr. T. P. O'CONNOR said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. SYNAN said, he had an Amendment for the purpose of limiting the inquisitorial power of the magistrates to prevent the law being pushed beyond its present operation. At present there was no power to summon witnesses with regard to offences unless some person was charged. The words of this section were perfectly new to the law of this country, and practically introduced the law of France, under which magistrates and Judges had power, the very moment a charge was made, to summon any persons they liked to give evidence in respect to the charge, and, in fact, to morally compel them to give evidence. He proposed to omit from the section the words, "although no person be charged," and substitute, "any person charged with the commission of such an offence." If the section was left as it stood, what would be the consequence? A certain offence or crime might be committed, and the magistrate would have power immediately to summon everybody in the district and to examine them on oath in respect to the offence. But under the present law in England that could not be done unless there was some person before a magistrate charged with an offence. In that case the magistrate had power to summon witnesses in respect to the offence, or to receive evidence in favour of the accused. Under this section, however, a magistrate would have power to summon everybody, and if the persons summoned did not wish to give evidence he could commit them to prison. Then, in the other section, if a witness absconded the magistrate had the power to hunt him out and to incarcerate him, and probably that person might be suspected of being the very man who had committed the offence, although there was no charge against any individual, and that was an inquisitorial power foreign to our law, and a power which certainly would not be accepted by any people in England. The question was, whether they ought to do in Ireland what they would not do in England? He admitted there was a clause in the Act of 1870 similar to this; but what had been the effect of that clause? Had it been of any benefit whatever? Had any evidence been obtained by means of that clause? Was the Solicitor General for Ireland aware of any evidence obtained by any such means? The witnesses obtained under the Act of 1870 were persons who voluntarily came forward, or who were paid to come forward; but this inquisitorial power, without being limited to a case where someone was charged, would place the inhabitants of a whole district in the hands of a magistrate, and might have the effect of inducing a man to give evidence which was not honest evidence in order to escape imprisonment. To prevent the people of a whole district being harassed, he moved this Amendment.

Amendment proposed,

In page 7, line 3, to leave out from "although," to the word "offence," in line 4, inclusive, in order to insert the words "before whom any person is charged with the commission of such offence,"—(*Mr. Synan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, he thought the Committee quite understood the object of the Amendment; but the speech of the hon. Member had been made too soon. If the Amendment was inserted that would only declare that the magistrate had the same power he now possessed. A magistrate could summon witnesses, and that would be the only effect of this clause if the Amendment was adopted. It would only be declaring that when a person was charged the magistrate could summon witnesses. That could be done now; and the object of the clause was that a magistrate should have the power to summon witnesses whether there was any person before him or not. The Amendment would render the clause nugatory. The Criminal Code dealt with this question with a view of applying it generally.

Sir GEORGE CAMPBELL said, he was very glad to hear from the Attorney General that it was proposed to extend this power under the Criminal Code, because this clause was one of the most valuable propositions under the Bill, as being necessary not only for this Bill, but for the general law of the land. He believed the English law was the only Criminal Law known in which there was no provision of this kind; and he certainly thought there ought to be a provision in the law for making inquiries before any person was accused. It was not necessary to go to France for that system, because it prevailed in Scotland, and no one in Scotland had suggested that it was a tyrannical provision.

Mr. DILLON inquired what would be the value of evidence given by Americans if they were summoned? He was afraid this clause, in the peculiar circumstances of Ireland, would not be used for the alleged purpose, but for other purposes. It was the common custom in Ireland for people to make the most wholesale assertions as to the knowledge or complicity on the part of other persons in crimes; and he had heard it stated that the whole population, in many cases, were acquainted with the perpetrators of these crimes. He would not now enter into an argument upon that statement; but he mentioned it to show the spirit in which this clause might be worked in the present condition of Ireland. If a magistrate was under the impression that everybody in a district knew all about a crime, then this clause would become a tremendous weapon. In Scotland or France such a power would be used only to discover crime, and not to inflict hardship except in exceptional cases; but in Ireland, where Party feeling ran to such heights, and such wild allegations were made against the population, these two clauses, working together, would be turned into a fresh Coercion Act, and people who were members of Land Leagues would be called upon to give evidence immediately an outrage occurred, and if they refused they might be committed to prison for two or three months pending the Assizes. The things that had been done during the last year fully bore out that view; and, no matter what the opinion of hon. Members might be as to the abstract justification for such a power in the country where society existed in a normal condition, this clause was exceptionally objectionable in Ireland, and, in fact, amounted to the reenactment of the Protection Act of last year in a much more objectionable form.

MR. T. P. O'CONNOR said, he did not know that the fact of this system existing in Scotland would recommend the clause to the Committee. The hon. Member (Sir George Campbell) said nobody complained of the system in Scotland; but he surely forgot the essential difference between Scotland and Ireland. In Scotland public opinion controlled the magistrates in working this power, and if the power was used in a harsh and cruel and arbitrary or capricious manner, except as against Irishmen, public opinion would correct such action; but in Ireland public opinion might condemn the action of landlords, but the landlords would be eulogized by the Treasury and encouraged in their action, and that was the danger of the clause. The clause left the magistrates' arbitrary power uncontrolled by public opinion and encouraged by a Coercionist Government. The Attorney General said this power existed in the Criminal Code, and quoted the case of France; but he understood that the difference between the English Code and the French system was not that magistrates could summon witnesses when there was nobody charged, but that the magistrate could examine a prisoner charged, as he could not in England. He did not object to the power to examine a prisoner who was charged with an offence; but he did object to giving the power to extort evidence when there was no person charged. He took issue with the Attorney General upon his statement that the Amendment would practically have the effect of annulling the clause. As the law stood, the magistrate had a right to send a witness to prison who, having evidence, refused to give it. Unless he was very much misinformed, a magistrate had no power to imprison a witness who said he had no evidence to give. Under this clause a witness could be sent to prison even though he had no evidence to give, and did not know anything about the transaction. The two clauses, taken together, would enable every man, woman, and child in a district to be sent to prison.

THE CHAIRMAN: The hon. Gentleman is discussing a question which is not before the Committee.

MR. T. P. O'CONNOR admitted that he had, perhaps, been going a little further than the Amendment justified; but the Amendment, as he understood, proposed to reverse the whole procedure under this clause, and he was attempting to follow some observations of his hon. Friend, which appeared to have given a misleading impression. Anyone who knew anything about crime in Ireland knew that there were scarcely ever any witnesses of the crime. People did not commit murder or manslaughter or attack dwelling-houses in the presence of a large crowd of spectators; but under this clause, unless it was amended as proposed, Mr. Clifford Lloyd would be able to put scores of people into gaol because they would not commit perjury by professing that they had knowledge of a crime. He hoped the Government would see their way to accepting the Amendment.

MR. SEXTON supposed this clause was another of the well-tried and well-proved weapons. It had been tried, but it remained to be seen whether it was well-proved or not. The same power existed under the Act of 1870, and the Executive in Ireland had, therefore, had some experience of it. The Chief Secretary was ready to give information with reference to the value of that power, and he had the records in Dublin Castle to refer to. Would the right hon. Gentleman state with regard to how many crimes between 1870 and 1875 the magistrates in Ireland exercised that power; and in how many cases the exercise of the power resulted in the crime being punished? If the right hon. Gentleman did not give that information, he should be entitled to assume that the similar clause in the Act of 1870 had failed. The contention of the

Government with regard to offences in Ireland was that the police knew the offenders, and that the only difficulty was that juries were afraid to convict and witnesses were afraid to speak the truth. The difficulty with regard to the juries had been disposed of by the creation of two tribunals without juries; and now it was proposed to get rid of the difficulty in regard to witnesses by this clause. Why, then, should not the Amendment be accepted? If the police knew the men who committed crime and charged them before a magistrate, then let the magistrate summon before him such witnesses as he might consider necessary. If the Government refused the Amendment he should be driven to the conclusion that the police had no knowledge of the criminals; and, therefore, the statement that they did know was not true.

Question put.

The Committee *divided*:—Ayes 141; Noes 31: Majority 110.—(Div. List, No. 174.)

Dr. COMMINS proposed an Amendment which, he said, had been practically accepted. In putting this and other Amendments he had assumed that the clause would be passed, and therefore suggested Amendments which would prevent its doing mischief. The clause provided that if the magistrate believed some person was able to give evidence he might summon him. The magistrate's belief might be founded on no facts at all, and might arise from some whisper by a favourite or other person, and he wanted to provide something for testing that belief of the magistrate, and to check him from acting without any ground at all, and so prevent any case of gross injustice. If the supposed belief of the magistrate was left subject to no control, a magistrate who had lost his head, or who had friends whom he wished to accommodate, could issue summonses broadcast, and exercise a most despotic and inquisitorial power. The magistrate could not go so far as a magistrate on the Continent, or as could be done in this country in the days of the Star Chamber; but he could summon people on a mere belief that could not be tested, and then, if that person said he knew nothing about the matter the magistrate could say he knew better, and compel that person to give securities or commit him to prison. In either case the magistrate could assume he knew something, and upon that he might exercise a cruel and despotic and irresponsible power. He simply wanted to prevent that. Whenever notorious crimes were committed, a coroner could send for any witness he might believe had information with regard to the crime, and put that person on his oath; and if the witness refused to be sworn he could be committed to prison; but the coroner had no power to say he knew the person had information, and, if he did not state it, to send him to prison. He did not object to magistrates having the same power as coroners; but if magistrates were invested with this irresponsible power, it would be very despotic and mischievous. In order to prevent this power being exercised mischievously and without due caution and discretion, and without some ground for its exercise, he proposed that when a magistrate had exercised this power he ought to be furnished with such evidence as would justify him afterwards, in the event of his action being inquired into. The only way of having such evidence was by sworn information in writing, showing some ground for believing that a person whom he was about to summon could give some material information. If the principle of this Amendment was conceded the manner in which it might be shaped was of little consequence. The Attorney General had referred to a similar provision, which practically embodied this principle in the Criminal Code, which placed restrictions upon the exercise of the power, and prevented that despotic exercise of which he was afraid. He feared very much that the powers given for a useful purpose might be perverted, and used for mischievous purposes; and, therefore, he urged that reasonable precautions should be adopted to prevent that.

Amendment proposed,

In page 7, line 4, after the word "may," to insert the words "upon sworn information in writing being laid before him, showing reasonable grounds for believing that any person can give material evidence concerning any offence under this Act."—(*Dr. Commins.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, the hon. and learned

Member had touched on many matters which were not really affected by this clause. He supposed the hon. and learned Member did not want to carry the clause to its fullest extent with regard to minor evidence. The more important part of the Amendment would render this clause almost nugatory; because, under the Amendment, if the magistrate believed there was a person who could give information in relation to crime, although no person had been detected, the magistrate would not be allowed to obtain evidence from such person, unless a third person intervened and swore that he thought the other person could give evidence. What could be the use of asking for information from somebody who said he thought that the other person had some knowledge? The Amendment would entirely nullify the clause. The hon. and learned Member assumed that a magistrate would be able to send to prison any person who said he had no evidence to give; but that was not so. A magistrate would only have the same power as if a prisoner was before him, and would have no power to commit a witness if the witness said he had no evidence to give. He would have the power to summon witnesses who he thought would be able to give information.

MR. MARUM said, he could not agree with the Attorney General in his explanation. All that this Amendment desired was that before any person was summoned, there should be some ground for summoning him, and that he should not be summoned upon the arbitrary belief of the magistrate, and that the magistrate, before he summoned anyone, must have sworn information that somebody believed the person referred to had some information. Suppose there was a case of exclusive dealing; a trader who was jealous might tell the magistrate some story which the magistrate might believe, and upon which he might arbitrarily act. The object of the Amendment was to prevent that by providing that there should be sworn information before a person could be summoned. There was no more power of compulsion upon a witness under this section than under the ordinary law; but that did not do away with the objection to this clause, and he thought the Government ought to accept some restriction upon the magistrates.

MR. T. D. SULLIVAN asked the Attorney General what would become of the principle of English law which provided that no person should be bound to give evidence which would incriminate himself?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, there was an Amendment later on dealing with that point.

DR. COMMINS said, he was not at all satisfied with the Attorney General's reasoning, for in saying that in ordinary cases a magistrate could exercise this power when a prisoner was before him, the hon. and learned Gentleman overlooked the fact that though nominally it was the magistrate who summoned a witness, in not one case in 1,000 did the initiative come from the magistrate. The initiative came from the policeman or the private prosecutor, who stated that the witness could give certain information, and applied for the summons, which was granted as a matter of course. But what was to be the course of action under this clause? Was the summons to originate with the police, or with the private informer, or with the magistrate? If with the police, or with some men who had received threatening notices, why did the Government refuse to require the person who used the magistrate as a tool to give some reasons for obtaining a summons, which might be followed by serious consequences? The Attorney General reasoned as if in ordinary cases the magistrate was the originator of the summons, whereas, as a fact, he had nothing to do with it. Another point which the hon. and learned Gentleman made was equally bad. He said this clause would give the magistrate no more power than he already possessed when a prisoner was charged before him; but if an informer would not disclose the grounds for his belief, the witness would be summoned on a presumption in the mind of the magistrate that he had some evidence to give. If then the witness refused to be sworn because he knew nothing about the matter, under this clause he could be imprisoned for doing what he had a perfect right to do. Another point was that in ordinary cases a magistrate could only commit a witness for a week if he refused to give evidence; but in this case the witness might be committed and kept in prison until the person suspected was caught, and that might not be for two or three years. So this terrible power was not safeguarded in any way; and he submitted to the Committee that the arguments advanced had established the necessity for safeguarding the clause.

Mr. P. MARTIN said, he did not think the Attorney General had met the real point of the argument urged by the hon. and learned Member for Roscommon, that the magistrates in these cases ought not to take the initiative. Under the provisions of the Bill it was proposed to confer powers of summary jurisdiction on and invest those magistrates with the character of Judges. Was it right, then, that they, as proposed, should be thus made both prosecutors and Judges at the same time and in the same cases? The public or private prosecutor was the proper person to bring forward and ask for the examination of these witnesses. He protested against the introduction of a principle condemned by experiences of Criminal Jurisprudence in other countries. He desired, also, to remind the Committee that this clause was of a character far more inquisitorial and conferred more stringent and larger powers than those given by the Acts of 1870 and 1874, because in the Act of 1870, and in the subsequent Act of 1874, the magistrate was not allowed to go on a roving commission, bringing young women or anyone else into his private house, but he was bound to bring them to the Petty Sessions Court of the police district. It had been very pertinently asked by the hon. Member for Sligo (Mr. Sexton), was there any advantage in retaining the clause at all, and was there anything in the Returns to justify it? As the Chief Secretary had not replied, he (Mr. Martin) would ask the permission of the Committee to now answer the question, and adduce from *Hansard* the evidence of a witness of the highest importance—namely, the present Lord Lieutenant of Ireland. Last year, when in the House of Lords it was urged that the matter of this clause, and the powers conferred, were of great advantage and importance in aiding in the detection of crime, the Lord Lieutenant is reported to have said—

"On a former occasion my noble Friend opposite (the Duke of Marlborough) said that he attached the greatest importance to the clause in the Peace Preservation Act affecting the power of magistrates to summon witnesses; but I find that the provision in question was only put in force once in 1878, not at all in 1877, twice in 1876, twice in 1875, and four times in 1874."—[3 *Hansard*, cclvii. 49.]

Now, having this information before them, he asked why should the Government desire to retain this most objectionable clause, which the present Lord Lieutenant of Ireland declared was of no practical advantage? If, however, it was determined to thus give, without necessity, powers so liable to abuse, and which, in their exercise, might cause no slight hardship, then the least that could be asked on behalf of the people of Ireland was that this most inquisitorial clause, if exercised, should be safeguarded in every possible way. It was asking a very reasonable safeguard, that they should not leave the magistrate to rove at large through the country, at his own pleasure, but that a public prosecutor, or some private person acquainted with the facts, should be the person to set the law in force. This person should, in asking that the power should be exercised, state some reasonable grounds to the magistrate, whether on oath or in writing he did not care. If the Government objected to the statement on oath, perhaps his hon. and learned Friend the Member for Roscommon would consent to having the statement in writing. In respect to the Alien Clause, it was provided that some ground should be stated. And should it be put in the power of any Irish magistrate to summon anyone at his pleasure, without any justification whatever, or without entertaining reasonable belief that the person summoned was able to give evidence; to summon persons, one after another, to his private house, and interrogate them just as he pleased, without any such safeguard as was contained in the Amendment? He trusted the Committee would either have some statement from Her Majesty's Government accepting the Amendment, or that it would be pressed to a division.

Mr. SEXTON asked what had the Government to say after the extraordinary evidence put forward by the hon. and learned Member for Kilkenny? The Attorney General told the Committee that a similar clause existed in the Act of 1870, and either he or some other Member of the Government declaimed on the advantage to be derived from that clause; and now it appeared from the evidence of Lord Spencer, quoted by his hon. and learned Friend, that it was exercised four times in one year—the highest number of times—and twice only in each of the two successive years, once in another year, and in one year not at all. After that evidence, would the Government maintain that the clause was a valuable one in the former Act? It fell into complete neglect, as appeared from the evidence of their own Lord Lieutenant. The Attorney General said if a magistrate knew of a person likely to give evidence and had not the power to summon him, that it would lead to a failure of justice; but the reply to that was brief and simple. The magistrate knew nothing of any person likely to give evidence except from what some complainant or policeman told him; and it would be just as easy to have the statement on a sworn information as to have it in conversation, and the result would be that such a precaution would induce a sense of the danger of perjury, and would save the magistrate from the danger of acting upon merely irresponsible gossip.

Question put.

The Committee *divided*:—Ayes 27; Noes 112: Majority 85.—(Div. List, No. 175.)

MR. MARUM said, his Amendment came next in order; but, perhaps, it was better that he should beg leave to move to report Progress.

THE CHAIRMAN asked, did the hon. Member make that Motion?

MR. MARUM said, he did.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Marum.*)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, no wonder the Chairman did not quite understand the Motion was made, for the hon. Member himself seemed rather reluctant to move it. It was to be hoped it would not be pressed. The Committee had made fair progress, and would, he hoped, make some further progress, with the clause. He reminded the hon. Gentleman that the Committee would not sit on the following day, and there was every reason for continuing a little longer.

MR. MARUM asked leave to withdraw his Motion.

Motion, by leave, *withdrawn.*

MR. MARUM wished to move the insertion of the words "in petty sessions as hereinafter provided." His object in moving this Amendment was that in the clause of the Act of which this was the transcript—the "Protection Act"—these omitted words were supplied, for that Act provided that in a proclaimed district a Justice of the Peace should have power to summon witnesses to the place where the Petty Sessions of the district were held, and in which district the offence had been committed. So the words of his Amendment would require the magistrate to summon to the Petty Sessions Court, and not to his place of residence, which had been complained of. In Ireland the magistrate had jurisdiction to summon anywhere in the county, and even in the adjoining county, and, though he would usually use Petty Sessions, still it was well to have it defined, and not left to the magistrate's discretion, which might be inconveniently exercised.

Amendment proposed, in page 7, line 4, after the word "him," to insert the words "in petty sessions as hereinafter provided."—(*Mr. Marum.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was willing to accept these words; but he thought they would not come in this place.

MR. MARUM said, he had taken the words from the Act of 1870, which ran thus—

> "Shall have power and authority to summon to the police office or place for petty sessions in the district where the said felony or misdemeanour is committed."

Of course, the words "felony or misdemeanour" must be altered.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would agree to the insertion of the words in the fourth line—

> "At the police office or place where the petty sessions of the district in which the said offence is committed are usually held."

MR. PARNELL said, he would rather have the words "police office" out, if the hon. and learned Gentleman had no objection. He did not agree with the summoning to police-barracks at all; and, as the hon. and learned Gentleman had conceded so far, he might agree to leave the words without the "police office," so as to read "at the place where petty sessions are held."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, this did not mean the Constabulary-barracks; it meant the police-office in the town.

MR. PARNELL said, that was satisfactory.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In line 4, after "him," to insert "at the police office or place where the petty sessions of the district in which the said offence is committed are usually held."—(*Mr. Attorney General.*)

Amendment *agreed to.*

DR. COMMINS said, the Amendment of which he had given Notice was consequential on a previous one, and, therefore, he would not move it.

MR. MARUM said, he moved to omit certain words, and would state his object. As the clause now read, it made the magistrate the Executive officer, and drew no distinction—a distinction which he was glad had been recognized in a statement by the Solicitor General for Ireland—between the Executive and the Judicial functions of the magistrate. These functions, it had been said, the Government would endeavour to separate as much as possible, and this object he wished to secure by providing that the magistrate might—

"If he think fit, make an order that such person may be then examined on oath in his presence by and on behalf of the Crown."

It appeared to be a matter of form; but if the magistrate was to get witnesses and get information, and then came forward to examine them, it placed the magistrate in an Executive, not a Judicial position. There was, in fact, too much of this kind of thing in Ireland, and Resident Magistrates were required to act as Executive officers, many inconsistencies arising from this confusion of functions. The observations of the Solicitor General for Ireland, speaking on behalf of the Government, conveyed the idea that the functions of the magistrates, Executive and Judicial, would be separated as much as possible, and to that object his Amendment was directed.

Amendment proposed,

In page 7, line 7, after the word "may," to leave out to "concerning," and insert "if he think fit, make an order that such person may be then examined on oath in his presence by and on behalf of the Crown."—(*Mr. Marum.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) pointed out that examining on behalf of the Crown implied examining for the prosecution as against an accused person.

MR. MARUM said, he would not press the Amendment, but would leave the whole responsibility upon the Government.

Amendment, by leave, *withdrawn.*

DR. COMMINS moved to insert, in place of the word "examine," the words "take the deposition of." He thought the distinction between the two terms was very obvious, and he wanted to prevent as much as possible an inquisitorial inquiry, and so to place a check upon the unfair exercise of this power by the magistrates. There might be an examination by a magistrate, in the presence of three or four policemen, without the slightest record of what took place, and that process might be repeated day by day. Attempts might be made to entrap a witness, and other unfair practices might be resorted to, which he thought ought to be prevented. The Amendment implied that the results of the examinations should be in writing.

Amendment proposed, in page 7, line 7, to leave out the word "examine," and insert the words "take the deposition of."—(*Dr. Commins.*)

Question proposed, "That the word "examine" stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he agreed in substance with the argument that there should be some record of examinations. He would suggest that these words should be added to the words in the clause.

Amendment *agreed to.*

Amendment proposed, in page 7, line 10, after the word "upon," to insert "within three months from the date of such recognizance."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Amendment *agreed to.*

DR. COMMINS moved an Amendment with the view of empowering a Coroner to make an examination under this Bill as he would under ordinary circumstances. The power of the magistrates at Petty Sessions was, he said, somewhat greater than that of the Coroner; but he submitted that the magistrate and the Coroner should have the some power.

Amendment proposed, in page 7, line 11, to leave out the word "justice," and insert the word "coroner."—(*Dr. Commins.*)

Question proposed, "That the word 'justice' stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could not quite see the distinction between the power of a Coroner and the power of a Justice, but he agreed to the substance of the Amendment.

Amendment *agreed to.*

Mr. MARUM moved to insert, after the word "section," the words—

> "Provided, That any person so summoned shall be entitled to have present at any such examination or other proceeding counsel or attorney on his or her behalf."

In the Probate Court there was a special provision for administering interrogatories, and for allowing counsel to attend when witnesses were subjected to such interrogatories. The same power was given under the Peace Preservation Act. In the "Bravo" case, when Dr. Gully was examined by Serjeant Parry, counsel were present; so that it was according to the practice of English law that witnesses should have the assistance of professional advisers if they chose. He presumed that the Government did not mean that a man was not to have a fair trial, and therefore he proposed this Amendment.

Amendment proposed,

> In page 7, line 15, after the word "section," to insert the words "Provided, That any person so summoned shall be entitled to have present at any such examination or other proceeding counsel or attorney on his or her behalf.—(*Mr. Marum.*)

Question proposed, "That those words be there inserted."

MR. HEALY urged that this Proviso was especially necessary, because there was nothing in the Bill to the same effect. It might be said the Amendment was needless, because if there was a prisoner, the person examined would have the benefit of cross-examination; but, as the clause stood, a man might be arrested for an offence in one town, and the Justice might have power to summons witnesses in another town upon the charge. If a man in London was arrested, some man in Newcastle might be summoned as a witness, and there was nothing to require his being brought to London where the prisoner was charged. This Proviso was especially necessary, in order that if witnesses were to be brought to a place where the accused person was charged they should have the benefit of counsel.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he did not quite follow the hon. Member, and pointed out that words had been inserted which would prevent the difficulty suggested.

MR. HEALY asked whether it was to be understood that the Government were about to accept the Amendment of the hon. Member for Galway (Mr. T. P. O'Connor) to the effect that nothing should oblige a witness to incriminate himself? If that were so, why should not a witness have the assistance of an adviser? It might be that a witness was not to be cross-examined by his own counsel; but that was not the point of the Amendment. He wished to know whether there was anything in the Bill which provided that if a person was in custody in one town, witnesses might be examined in another part of the country, and not brought to the place where the prisoner was charged? Such a procedure would lead to technical difficulties, and he urged the Government to accept the Amendment.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, if there was an accused person, the witnesses would be taken to where he was, and no evidence could be given in the prisoner's absence.

MR. HEALY said, the words in the clause were "although no person may be charged."

THE ATTORNEY GENERAL (Sir HENRY JAMES) remarked, that that might be so; but no evidence would stand unless it was taken in the presence of the accused person. If such evidence was taken in the absence of the prisoner, the witness would have to be again examined in the presence of the prisoner, and there would be no danger of the difficulty which the hon. Member pointed to. Where a witness was examined, he ought to have counsel, in order that he should not incriminate himself. He would have that right under this Bill, and would not be bound to state anything that would incriminate himself, and that principle would apply equally in cases under this Act as in cases in an ordinary Court.

Mr. T. P. O'CONNOR said, he thought that if a person so examined in a probate case was entitled to have counsel, *à fortiori,* a person examined with regard to an offence which might afterwards be charged against him was entitled to have the assistance of counsel. The Attorney General had that evening shown a reasonable disposition to meet the views of hon. Members, and he thought if the hon. and learned Gentleman would give a few moments' consideration to this proposal he would regard it in a somewhat different light. As he understood the Amendment, it did not seem to mean that the witness should be compelled to employ counsel, but that he should have the right to employ counsel if he chose. Did the Attorney General seriously contend that a man brought before a magistrate upon an investigation under this Act, in which he might incriminate himself unintentionally, should be deprived of the right of counsel? That was all that was asked by this Amendment. He would ask the Attorney General to consider for a moment the manner in which this clause would practically be worked. An offence took place in a district; the magistrate was anxious to fix it upon some person whom he suspected; what would be the primary action of the magistrate in such a case? It would be the same as that of the French magistrates. The very first person, in many cases, whom he would summon and examine would be the first person suspected of being a principal in the offence. The witness might not be directly charged; but the object would be to bring up as the first witness the man who was supposed to have committed the offence, and that person was to be forbidden, under this Act, to have the right of engaging counsel to advise him. The Attorney General could scarcely propose a provision so monstrous and unconstitutional and unparalleled in the Jurisdiction of any country. He might as well propose that such an examination should take place in the dark cell. He hoped the Attorney General would state that he had not completely made up his mind, and would reconsider this question.

Mr. MARUM said, all that the Amendment proposed was that where a witness was examined, he should be advised as to questions which he need not answer if they would incriminate him, or cause him civil injury. It was right that such a person should know exactly the ground upon which he stood. The principle of Constitutional Law was that every man should get a fair trial, and, when exceptional powers were being given, there ought to be a provision to insure this principle being carried out. It was true that anything said in the absence of the accused was not evidence against him; but such evidence was always read over in the presence of the accused. The effect of such a proceeding might go very far to shake the testimony of a witness, and it was only right that this provision should be agreed to.

Mr. O'KELLY inquired whether a man summoned as a witness under this clause would be warned before he was examined that there was a probability of his being charged with the crime? As had been explained by the hon. Member for Galway (Mr. T. P. O'Connor), the probability was that the first man summoned would be the man whom the Law Advisers intended to put on his trial. If that man was not warned, would it be possible to use evidence extracted from him in ignorance of the fact that he was practically charged with the crime? The procedure established by this clause was well known in France, and it was a procedure which some of the most distinguished lawyers in France were now endeavouring to have repealed, as they found that the magistrates, instead of playing the part of Judge only, in every instance played the part really of Public Prosecutor, and so the people brought to trial had not the privilege they were entitled to—namely, a fair trial before an impartial tribunal. Having the experience of the French Courts before them, the Committee ought to be very careful how they introduced a procedure which, after a very extended trial in France, had not given anything like satisfaction to men of liberal minds in that country. In Ireland this law would be put into practice under conditions much more unfavourable than those in France, because in all these trials in Ireland there would enter an element of political and social hostility that would render the prisoner's chance of a fair trial much less than in the ordinary criminal trials in France. The experience of French lawyers was that even in criminal trials where there was no political question involved, the desire of the magistrates was to secure a conviction of those brought before them, and there was a tendency to stretch that power to the utmost. That power was, in the opinion of the French lawyers, used very unfairly against the prisoners.

THE ATTORNEY GENERAL (Sir HENRY JAMES) pointed out that the proposed words were not sufficient, because all they provided was that any person should be entitled to have the presence of counsel. The words, of course, meant that a legal person should be present; but if it was intended that counsel should appear for an accused person, that was contrary to anything he knew of. The examiner might interfere, and that was a system which would not be tolerated in England. He was anxious to meet the hon. Gentleman, and his own idea was to go further than the hon. Gentleman suggested, and to propose to insert words providing that evidence given by a person under compulsion should not be used against him if he were accused.

MR. PARNELL said, would the Attorney General, in addition, favourably consider the desirability of allowing counsel to be present as a friend of the person summoned to give evidence, so that the person under examination might confer with his counsel from time to time as to whether such and such a question might tend to incriminate himself in any way if answered? That, he thought, would answer all purposes. Of course, that would not of necessity contain the right of the counsel to examine the witness himself, but he would be present somewhat in the position of a legal adviser of a person before a court martial; he would not be called upon to say anything from his own mouth, but he would advise privately with the person under examination as to what questions he should answer.

MR. MARUM said, he did not think that the Attorney General had really followed what had been said. He said that the person summoned should be entitled to have someone else present, and by that he meant not that the witness should appear by counsel, for then he might personally not appear at all, but, as the hon. Member for the City of Cork (Mr. Parnell) said, some professional man should be present to advise the witness as to his legal position. The proposition made was a reasonable one —that nothing should be extracted from the evidence and used in a way detrimental to him who gave it.

MR. HEALY reminded the Committee that, when a similar pledge was given the other night—given by the Prime Minister—it was practically thrown overboard the next night by the Home Secretary. No doubt, the Attorney General was as *bonâ fide* in his intention now as the Prime Minister was in his. The Attorney General said that the evidence given by any witness should not be used against any such witness. He drew attention to that fact in case the right hon. and learned Gentleman the Home Secretary should, as he did a few nights before, throw over his Colleague.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the pledge he had given amounted to this. He thought it right that the principle of the Amendment should be carried into effect; and unless something unforeseen did occur, something pointed out that did not appear at the present moment, he would use all his influence with his Colleagues in the Government to get the words inserted.

MR. T. P. O'CONNOR said, it was an important question, and the Attorney General had pointed out very plainly a limitation in the Amendment, that counsel should be present, not that he should examine. He supposed that meant that counsel would not be allowed to prevent a witness from answering a question tending to incriminate himself. Would the Attorney General, then, accept the Amendment as it stood, that a counsel or solicitor should have the right to be present without any *locus standi?* The Attorney General gave a pledge that words should be put in prohibiting the use of the evidence of a witness against that witness. It was a pledge easier to give than to carry out; but, apart from that, what objection could the Attorney General have to allow a counsel or solicitor to be present without the right of examination? What he and his hon. Friends wanted was to prevent this being a Star Chamber investigation; that a magistrate should not drag people into Court, and subject them to an examination of a private nature in their cells, such as was followed under French Jurisprudence. They wanted the examination to be open and public. And he could not see, if the Government meant to act openly, why they should object to this precaution that was asked, that the examination should be open and fair; and a guarantee for this was the presence of some friend of the witness. Why the Government should not consent to this he could not make out, unless they wished to make it a Star Chamber proceeding altogether.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that really the Government had gone beyond this Amendment. The ground on which his hon. Friend opposite moved his Amendment was, as he said, because of the peril in which a person might be placed in giving evidence that would tend to incriminate himself, and because he might be in a position to have that evidence afterwards used against him. On that ground the hon. Member asked that a counsel should be present. Now, the Government proposed to insert words to render the evil suggested impossible, for nothing the person under examination said was to be used against him. So the Government rendered the Amendment unnecessary by providing absolutely against all danger, for even if the witness did give criminating evidence it could never be used against him. Had they not, therefore, made a concession which really and substantially met the object of the Amendment?

MR. MARUM admitted that; but if the words inserted provided that nothing he gave in evidence should be used against him, that might lead to a corresponding freedom on the part of the witness, and he would not be so guarded in his answers, and give unfair evidence.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that the evidence could not be used against any accused person; it would only be used as matter of information.

MR. HEALY said, the hon. and learned Gentleman did not appear to know that it was a practice instituted by Mr. Clifford Lloyd, and others of that stamp, to get men into their private rooms and there to threaten and bully them, calling them cut-throats, assassins, murderers, in his private room. Such had been Mr. Clifford Lloyd's proceedings when he swept through certain districts in Limerick, abusing, blackguarding, bullying as he liked. It was this kind of thing the Amendment would prevent.

MR. T. D. SULLIVAN wished to know whether this evidence thus obtained would be all used in open Court, or whether any private proceedings would be taken thereon? This information would be obtained in secret, and he wished to know whether all the evidence on which a man was to be tried would be produced openly in Court, no secret information being used to obtain his conviction?

MR. T. P. O'CONNOR said, he thought they really must insist on this as a necessary safeguard. What he wanted was a definite answer. Were these proceedings to be public or private, were they to take place in open Court, or were they to be of a Star Chamber character? To this question he wanted a plain "Yea" or "Nay." The Government had accepted the Amendment that the process should take place in the Police Court or Petty Sessions Court But was it to be secret, and was it only to convict that the magistrate should appear in open Court, and while under this extraordinary law he was only conducting an examination, was he to exclude all but himself and the witness from the building? That he had ventured to call a Star Chamber process; and, at the risk of putting the Committee to some trouble, he and his Friends were bound to fight it out until they got a satisfactory answer. Now, how did the Amendment affect this? For the Government it was said —"We are engaged in the investigation of crime, and endeavouring to find clues to the perpetrator of some horrid offence, and it is unreasonable to ask us to open the door of the Court to everybody who may act as a spy on our proceedings and to foil our aim." The reasonableness of this objection he would admit; and the reason why the Amendment was pressed was that, as it was consistently proposed to exclude the general public, then there were grounds for demanding that there should be some person present, a friend of the witness, so that something like fair play should be given him, and that it should not be an examination exactly the same as that process of examination of the accused in his cell, only the Justice of the Peace present, which took place under the French system. That was a "Bastille" proceeding, against which they were bound to protest; and while the Government refused a satisfactory answer, he could not agree to the withdrawal of the Amendment or the conclusion of the discussion of the clause.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was sorry to hear the hon. Member express a determination to "fight it out." That was the last word he wished to hear from him. The hon. Member who moved the Amendment appeared willing to withdraw it after the statements made, which he hoped had been satisfactory. The hon. Member seemed to think this was a parallel case to an accused person in his cell; but nothing of the kind had been proposed, nothing of the kind had been acted on before, or would be. The person might be interrogated; that was agreed; and the hon. Member would be as desirous as himself to see a guilty person arrested, but he (the Attorney General) objected to this being called convicting evidence. There seemed to be an impression that the evidence would be collected against either the person present or somebody else; but that was not so; the witness must give his evidence in open Court to convict anybody, and this would not be evidence against an accused, as his hon. and learned Friend had said. It was thought that the witness should have a person present to prevent him saying anything to criminate himself; and there he met the proposal by offering instead of that safeguard, an immunity by saying he should have none of the evidence used against him, or any criminal charge preferred against him on the evidence arising from that examination. Of what use would it be, then, to have the proposed safeguard, when there was the assurance that anything he might say would not be used against him? But, as he had said, he had no objection to the principle sought to be laid down, but he would like to consider it carefully with the Home Secretary, but he could not give a promise to the full extent. If consideration of the matter would be of any use, he would not assume a position of hostility to the Amendment.

MR. PARNELL said, one great object in having a legal friend present when the examination was being conducted was to insure that it should be conducted in proper legal fashion. It was most desirable that a magistrate should be encouraged to do that; but if he were permitted to hold the examination in private, without the check that would be obtained by the presence of a friend of the witness of legal training, this kind of examination might very likely degenerate into license, and there would be complaints of the conduct of magistrates during examinations, such as there had been of the conduct of Mr. Clifford Lloyd while he was holding examinations in the counties of Limerick and Clare. He had heard a great many complaints of Mr. Clifford Lloyd, and he would astonish the Committee if he repeated the language used by Mr. Lloyd to witnesses and persons brought before him. He heard from one man brought before him that the language was such that he felt that for his own safety it was wiser to say nothing at all, making no reply whatever, otherwise he felt that he ran the risk of being sent to prison for contempt of Court, though he was asked a great many questions by Mr. Clifford Lloyd as to his guilt or innocence. If the power of examining an accused person had been used in this way——

THE ATTORNEY GENERAL (Sir HENRY JAMES): No; not an accused person, a witness.

MR. PARNELL said, he was about to add if used against an accused person in that fashion, was it not quite as likely that the examination would be conducted in the same way in the private examination of a witness? Here was an example of how it might act. A witness was bullied, confused, intimidated, frightened at one of these examinations into giving evidence that did not represent the facts —evidence that was unfair; this being taken down on his deposition, would be used, not as evidence against the person making it, but it would be information upon which some person might be made amenable. This person made amenable being brought before the magistrate afterwards, the witness giving in cross-examination a different account, would be liable to a prosecution for perjury in consequence of the information he communicated without any legal friend being present. He would be put on oath, and would make himself liable to a charge of perjury, when in truth he had intended nothing of the kind, but had been betrayed into mis-statements by the overbearing conduct of the magistrate. It was a case extremely likely to happen, and it showed the risks that witnesses might run in these preliminary examinations. He might also be induced to give evidence that might lead up to some other evidence against himself—evidence that, though not directly against himself, might give the police a clue to evidence from some other person. In that way evidence might be used to the danger of the witness under examination. These were examples on which they were entitled to some declaration from the Attorney General. It was a most odious form of examination, adapted from the French; and, however safeguarded by the Amendment, the Attorney General had promised to consider as to none of the evidence being used against the witness himself, yet, depend upon it, the ingenuity of magistrates, unless there was this safeguard of the presence of a legal friend of the witness, would render it possible to extract admissions that would be used against him.

Mr. HEALY begged to move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Healy.*)

The ATTORNEY GENERAL (Sir Henry James) said, he hoped the Motion would not be pressed now, when the Committee had arrived at a point when, if the hon. Member would withdraw his Amendment, the clause might soon be disposed of. An understanding was nearly approached, and they might be allowed to finish the clause.

Mr. HEALY said, he did not object to that so long as it was discussion; but not when hon. Gentlemen opposite and behind the Government kept up a succession of small noises to show their contempt for the hon. Member for the City of Cork (Mr. Parnell). The least they could ask, if they continued to remain, was that they should be heard patiently. In withdrawing his Motion, he would say, that as to there being no complaint of the working of such a provision under the Act of 1870, that there was certainly a case in one of the Midland Counties where a person was put on his trial, and evidence used against him which he had given himself. For his own part, he did not think that it was a great concession made by the Attorney General. He regarded it in this way—evidence would be given by the witness, and, in substance, that evidence might not be used against him so far as the deposition went; but there would be a hundred clues supplied by which the police would lead him into a trap. That might, or might not, be desirable; but if it was desirable for Ireland, why was it not equally desirable for England? If English Institutions were going to be Frenchified by the *clôture*, so the system might be carried out in the Criminal Law. The Alien Clause had been introduced into England; let the same be done with this clause——

The ATTORNEY GENERAL (Sir Henry James) said, when he had an opportunity of bringing forward the Amendment of the Criminal Code, he would propose it.

Mr. HEALY said, this was a desirable opportunity. The Government availed themselves of an Amendment by an hon. Member from Wales (Mr. Morgan Lloyd) to introduce the Alien Clause; let them do it now. Every year they heard of the Criminal Code Bill; but it was well known that when a House full of lawyers fell to talking about it, it would never get through. Here was an opportunity now to apply this principle to England. His objection to the proposal principally was this—that a man would be brought into Court among a number of policemen, Inspectors, Sub-Inspectors, and magistrates; he would be like Daniel in the lions' den, only that he would not come out scatheless; all would be barking and biting at him. What would happen? Every policeman would examine him, every Inspector would examine him, every magistrate would examine him; the only person who would not have a turn at examining would be the witness himself. The Attorney General for Ireland, were he present, might be able to corroborate him when he said it was a pitiless spectacle to go to Petty Sessions and see the police badgering an unfortunate witness, and to see the airs the Sub-Inspectors gave themselves. Unless the Government gave a concession Irish Members were bound to go on with their opposition. It was of vital importance to break the domineering spirit of the Irish police. So long as these did their business of thief-catching, there was no objection to them; but so long as they had the power under this clause they would use it to put up whole battalions of witnesses, one after the other; they would call up a whole village, and every policeman would think he had a right to examine every man, woman, or child, or all his or her actions from the day since they first had the use of reason to the moment of examination. That was the proposal of the Attorney General, and there was not a single protection for the witness. If he refused to give information he would be committed from week to week. If he refused to answer where he was on such a night, saying that it might criminate him, then he would find himself sent to the Criminal Court, and still have the police for company. It was a matter of so much importance that it must be fought out, and they would remain there until the point was settled; and, therefore, the hon. and learned Gentleman might concede it if any progress was to be made at all.

Motion, by leave, *withdrawn.*

Mr. MARUM confessed that the suggestion of the Attorney General, that it should be provided that no evidence should criminate the witness, had much force in it; but had he any objection to allowing some friend of the witness to be present? It was only fair that such should be allowed; perhaps a non-professional man. The Attorney General might consider whether he could not make this concession.

The ATTORNEY GENERAL (Sir Henry James) said, for himself he should prefer that the friend should be a professional man. But he would consider that. As he said before, he would confer with those who had charge of the Bill; he had promised to do that; but he could not give a pledge as he did in regard to the other proposition, that no evidence should criminate a witness; but as to having a friend present, there would be more utility in making that a professional man; he would consider it, but he could not now consent to the Amendment.

Mr. GRAY recognized the conciliatory spirit of the Attorney General; but he thought he would see that it was a little unreasonable to expect that Irish Members would let the clause pass until this matter, which they deemed of vital importance, was settled. The hon. and learned Gentleman recognized that there was something in the point urged that a professional man should be allowed to be present; but what did he suggest pending the consideration of the point? He asked the Committee to pass the clause. Now, in the event of the Home Secretary, who did not display the same spirit which had been displayed by the Attorney General, in the event of his saying he considered there was nothing in the point urged, and that law and order in Ireland required that these examinations should be in secret; and that these depositions should be taken in secret, then in what position would those who supported this Amendment be? He (Mr. Gray) did not care for the introduction of the suggestion to fight this matter out, for they had been met in such a way that they should endeavour to persuade the hon. and learned Gentleman to give them some consideration rather than to endeavour to coerce him. But, then, he should leave the Irish Members liberty of action in the matter. The Attorney General had not answered the argument of the hon. Member for the City of Cork, which appeared irresistible. The Attorney General seemed to think a witness was entitled to protection; and he said the depositions were not to be used against the witness himself but the hon. Member for the City of Cork had put a case which the Attorney General had not answered or met in any way. Remember, most of these witnesses would be poor and ignorant peasants, some with a deficient knowledge of the English language, and these men would be subjected to a searching examination, alone, before a magistrate, of whom, probably, they stood in the greatest terror, and it could be easily imagined, that under such circumstances, admissions would be made; it was at least conceivable that under such circumstances depositions would represent an exaggerated account of the matter under consideration, and might be elicited from the witness and put down as his statement. Now, in the event of his wavering from that deposition in open Court or contradicting himself, as would be quite possible, would the witness be liable for a prosecution for perjury? If he was so liable, was it not essential he should have a friend there to see that the examination was conducted in a fair judicial manner? This was not bringing forward an imaginary case; there had often been cases of men even of a higher social status being bullied by Resident Magistrates, and induced to swear to anything at all under such pressure. As this would go on in secret, was there to be any defence for the witness against a subsequent prosecution for perjury; because, under pressure of the mental torture to which he might be subjected, he might say something which, in open Court, he might not adhere to, knowing then, perhaps, that the life of a fellow-countryman was involved. The Attorney General did not see his way to make the concession asked for; but it was absolutely essential for the protection of the witness, and it was not too much to ask that the progress of the clause should be suspended pending the consideration the hon. and learned Gentleman had promised to give to the matter. The hon. Member for the City of Cork, he was sure, would give an assurance that there should be no undue discussion of the point at the next meeting; they would merely reserve their right in the event of the decision of the Home Secretary, with regard to which he felt some apprehension, being adverse.

The SOLICITOR GENERAL (Sir Farrer Herschell), in reference to what had been said, that there had not been an endeavour to meet the arguments used, said, there had not been that endeavour, because, as had been stated, it was the intention of the Government to consider the proposal favourably. It was desirable not to assume a hostile attitude when it had been said the matter would be taken into consideration, with the view of meeting the wishes expressed as far as possible.

Mr. GRAY said, he only said if the Government asked to have the clause passed, they were bound to meet the Amendment. He did not say they should argue against their own view.

The SOLICITOR GENERAL (Sir Farrer Herschell) continued. It must be left to Government consideration as to the mode in which it should be allowed, and he submitted to hon. Members that they would be quite as likely to obtain a favourable consideration of their views if they left it to Report, as if Progress were now reported. Leaving the matter now would be to take it up again on Monday just where it was, for, as hon. Members might suppose, Members of the Government had a good many matters to attend to, and it was not possible to act immediately with an Amendment prepared.

Mr. T. P. O'CONNOR remarked, that the Committee would not sit on Monday.

The SOLICITOR GENERAL (Sir Farrer Herschell) continued. The effect of leaving the matter open now would be to throw away the whole benefit of the discussion there had been in sitting to that late hour. The Government, it would be admitted, had endeavoured to give full weight to the arguments used, and had made a concession, so far as they felt it possible, and there would be a full opportunity of fighting it out, as had been said, on Report. He would not suppose that hon. Members were going to obstruct now to force a concession, after the fair way in which they had been met. He hoped that as the Government had endeavoured to deal fairly, so hon. Members would do the same, and not try to force a concession at the bayonet's point. The promise had been given to do all that could be done, so that the witness should be protected, and that there should be no cause of complaint.

Mr. PARNELL said, they wished to get at the minds of the hon. and learned Gentlemen who had the matter in charge. He was perfectly willing to leave the matter on the same footing as the other concession as to which a promise was previously given. If the Attorney General was willing to say he would do his best to obtain the concession on Report, he would be perfectly ready to leave it so, trusting in the hope and belief that the hon. and learned Gentleman would be successful in his exertions. But it should be pointed out that the first concession was not so great as it appeared to be, for it only put the witness examined in the same position should he become accused as any other person already would be who might be accused in consequence of his information. In no case would his evidence be used against any other person who might be accused in consequence. He would have to give it in open Court. So the concession given by the Attorney General in reality only put the witness in the same position that an accused person would be in who might be accused in consequence of the information given. It was practically a question of information, not of evidence. The magistrate would summon this person before him to obtain information on some event, not to collect evidence, so that the concession of the Attorney General in the direction of protecting the witness or person making the deposition from any criminal prosecution in consequence of his statement, did not amount to so much. They wished to get information with regard to crime, and whether they obtained it in such a way as to convict the person giving it, after a lapse of time, or some other person, mattered very little; but what was wanted was to have the person so examined with someone with him, so that the examination should be conducted in proper legal fashion, and that the witness should not be bullied or entrapped into giving information that might lead to his own conviction afterwards.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the concession was rather more substantial than the hon. Member supposed. Witnesses before a Coroner might have their evidence used against them at any time, and evidence given before a magistrate might be used against a witness, and if he persisted in falsehood, that might be used against him. So here, in the clause, there would be exceptional protection on the consideration that it was not open evidence. That concession, he said; he thought could be obtained, for it was not unfair to say that the information given should not be used against the person giving it. That, he felt, would be a sufficient safeguard, but now hon. Members were asking him to make step by step further concessions, to which he could say no more than he had said. He had assented to the principle, which he might safely say he could urge on the acceptance of the Home Secretary, and had no doubt would obtain like concession. But coming to this further concession, he had to communicate with Ireland, and to obtain the views of the Attorney General for Ireland, who would be absent for another two or three days on official business. Under the circumstances, it would be seen that it was wiser to defer the matter until Report. He could not give such a definite kind of pledge as he gave on the former matter; but he was willing to consider it, and if it was found that it could be done without interfering with the due obtaining of the information sought for, he would do his best, and would not oppose the views of hon. Members. If they would not accept this, he could go no further, and he did not wish to meet the Amendment in a hostile spirit.

MR. T. D. SULLIVAN said, he did not wish to prolong the discussion, but merely to put a question, which was briefly this. Whether a person—he did not refer to witnesses at all, but an accused person who might subsequently be put upon his trial—would be tried before a magistrate who had heard the secret evidence against him, such evidence not being adduced in open trial; would the man be put on trial before a magistrate whose mind might be prejudiced against him by secret evidence which the accused had no opportunity of rebutting in open Court?

MR. HEALY said, as they were dealing with such a courteous Gentleman, it would be well to show that they appreciated the spirit which animated him; but it was a bad principle to go upon to suppose that the arguments used in favour of an Amendment could be put with the same force by the Gentleman in charge of the Bill to a third person now absent, as if he were in the House. The temper and characteristics of the Home Secretary were known; he did not care so long as he obtained his Bill; and he might say he would not be bound by this or that, and nothing the Attorney General could say could remove the profound distrust Irish Members had for the Home Secretary. As to the argument that to break off now would necessitate the re-arguing of the matter before a new audience, why, the audience in the House did not amount to anything—he only looked to influence the Government. If Members could be moved by cranks in and out of the Lobbies, they would be as much use. What the Irish Members wanted to get at was the Government in power. On the Government they tried to press their views, careless of who else was in the House. Now, in Sub-section 3 of the 1st clause of the Bill it was provided that—

> "The evidence taken on a trial before a Special Commission Court shall be taken down by a shorthand writer who shall be sworn to take the same accurately to the best of his ability."

Now, it would be a certain check on the magistrate if, in these examinations, he found that every abusive word was being taken down by a shorthand-writer, and might be produced afterwards. The shorthand-writer might be sworn to secrecy. If the Government would not concede that, would they give a guarantee that no questions should be put to the witness except by the magistrate who took the deposition, and that all Police Inspectors who brow-beated witnesses should be moved from the Court? If the examination was to be carried on *au secret*, then there should be a security that it was carried on by the magistrate only. But if the evidence was wanted, so much the more important to have a shorthand-writer.

The ATTORNEY GENERAL (Sir Henry James) said, as regarded the shorthand-writer, if a magistrate could only take evidence in regard to a crime with a shorthand-writer present, time would often be lost, and the purpose of the clause frustrated.

Mr. HEALY said, that there were policemen trained as shorthand-writers.

The ATTORNEY GENERAL (Sir Henry James) said, he heard that they were not to be trusted as shorthand-writers. It would also be impossible to say that only one person should be present. He could not say that more than one magistrate should not be present. As to the question of the hon. Member for Westmeath (Mr. Sullivan), the Solicitor General would afford the information if he were asked later on.

Mr. PARNELL said, he thought it would be better to allow the matter to wait for Report.

Amendment, by leave, *withdrawn.*

Mr. HEALY said, he understood that the Government had accepted the principle of his Amendment, that magistrates who exercised powers under this section should not afterwards act judicially in regard to the offence which was the subject of examination; but he regretted that the Government had left it to a private Member to propose.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, he was not aware that the statement went quite so far as the Amendment the hon. Member had given Notice of. It was certainly stated that it was the intention of the Government to have steps taken to prevent magistrates acting in two capacities, and there was not the slightest intention to recede from that assurance. At the present moment the Government were making arrangements to carry out that undertaking; but as to putting it in the Bill, that was a matter for consideration, and the Government had not come to a conclusion whether it was absolutely necessary to put it in the Bill, or whether a sufficient guarantee could be given otherwise. But he would undertake that if it was found necessary in order that the assurance might be carried out, then it should be put in the Bill on Report, if necessary.

Mr. HEALY asked the hon. and learned Gentleman to repeat the last sentence.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) repeated, if it became necessary in order to bind the Government that the magistrates acting in taking evidence should not act judicially, it would be put it on the Report stage, if it was found necessary to do so.

Mr. T. P. O'CONNOR said, then the Government accepted the Amendment in principle.

Mr. HEALY said, there was nothing much in that. He acted on the principle that they were dealing with enemies. The Government seemed to suppose it might not be found necessary, and that they might make any statement of that kind—"If they find it necessary." Necessary in the minds of whom? In the minds of Gentlemen who did all they could to harass the people of Ireland! In the minds of those who put his hon. Friend the Member for the City of Cork and others of his friends in gaol, and issued warrants to serve himself and many others in the same way! It was absurd. Were they children who knew not with whom they had to deal? With people who held the country in spite of his own countrymen, it stood to reason they must have a definite pledge, on which basis only could they deal. Of course, the promise to an English Member could be accepted; it was dealing with friends; but Irish Members knew that they were dealing with those who would string them up in Palace Yard if they could do it. That was the position, and being so, and the pledge not having been denied, let it be inserted in the Bill.

Mr. GRAY reminded his hon. Friend that the words were—"if it was found necessary for the purpose of binding the Government;" therefore it was a distinct announcement that they were to be bound. Of course, the assurance of a Member of the Government was merely a matter of opinion; but he thought they might accept the statement that the Government would bind themselves to the principle of the Amendment.

Mr. BIGGAR said, he could not see any objection to the proposed Amendment; but if it was afterwards found that the expression used by the hon. Member for Wexford (Mr. Healy) could not be moved, other words could be introduced upon Report. Irish Members were charged with obstructing Business; but he thought the really guilty parties were the Government, who raised objections to inserting in the Bill the pledges they made.

Mr. SEXTON said, he understood the Solicitor General for Ireland to say that if he found the Government by law was not bound in the sense of this Amendment, words to bind them would be introduced into the Act. He supposed that at a later stage words would be inserted by the Government, or, if not, that they would state by what they were bound.

Motion made, and Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 65; Noes 24: Majority 41. — (Div. List, No. 176.)

Mr. PARNELL asked the Attorney General whether there would be any chance of having the Bill re-committed, in order to insert the new clause suggested by the right hon. and learned Gentleman the Home Secretary?

The ATTORNEY GENERAL (Sir Henry James) said, he could not hold out any hope that that course could be taken.

The CHAIRMAN: That course can only be adopted by the House; but after the Bill has been considered in Committee it cannot be done.

Committee report Progress; to sit again upon *Monday* next.

House adjourned at a quarter
after Three o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 26*th June*, 1882.

MINUTES.]—Public Bills—*First Reading*—Merchant Shipping (Colonial Inquiries) * (164).

Committee—Lunacy Districts (Scotland) (117).

Committee—Report—Poor Rates * (113); Public Schools (Scotland) Teachers (143).

Report—Gas Provisional Orders * (157); Water Provisional Orders * (158); Somersham Rectory * (116).

Third Reading—Local Government Provisional Orders (No. 4) * (150); Local Government Provisional Orders (No. 7) * (145); Artillery Ranges * (119); Roads Provisional Order (Edinburgh) * (78), and *passed*.

EGYPT (POLITICAL AFFAIRS)—THE CONFERENCE.—QUESTION.

The Marquess of SALISBURY: I do not know whether the attention of the noble Earl the Secretary of State for Foreign Affairs has been called to certain statements made by *The Times* Correspondent to-day; and, whether he remembers an answer which he gave to me with respect to the attitude of the Sultan as regards the first proposal of the Conference? I do not know if the noble Earl's attention has been called to it; but it appears that the noble Earl was mistaken with regard to the particular measures which subsequent facts have shown were to be taken. I do not know whether the noble Earl wishes to make any explanation with respect to them?

Earl GRANVILLE: My Lords, I shall be delighted to make any explanation the noble Marquess wishes if he will give me Notice for another day. I really must say that it is not an idle crotchet of mine to require Notice of Questions, and I very much concur in the view expressed by a Colleague of the noble Marquess the other day, who said he was really astonished at the Government being so ready to answer Questions without Notice, and that he himself made it a rule in Office never to do so. I think it is not reasonable to expect me to answer Questions of great importance off-hand. The noble Marquess knows perfectly well that, without the slightest trouble to himself, he might have given me Notice of the Question in the morning; and the necessity of Notice is obvious when the difference of a word or two respecting what is said here may spread all over Europe.

AFFAIRS OF TUNIS.

MOTION FOR AN ADDRESS.

LORD STRATHEDEN AND CAMPBELL, in rising to call attention to the affairs of Tunis, and to move for further Correspondence on them, said: My Lords, under ordinary circumstances, it would not have been improper to ask for further Papers about Tunis. We know nothing, officially, at least, of what has taken place during the autumn, although protracted struggles between the French and Arabs seem to have continued. We know nothing, from official sources, of the impression produced in France by the celebrated trial, in which M. Roustan and M. Rochefort were opponents. We are also wholly uninformed as to how late events are viewed by the Italian Government. After a series of Papers on Tunis, towards the end of last Session, one on Tripoli was issued. Since then reticence has followed. We are only led to think, by sounds and flashes which pass through it, that behind the curtain a drama has been actively proceeding. So much might have been said for further Correspondence upon Tunis under ordinary circumstances. But ordinary circumstances do not now present themselves. Night after night the two Houses of Parliament are agitated upon Egypt. The connection of Tunisian and Egyptian difficulties by those who have watched them both will hardly be disputed. It was long ago predicted that an Egyptian Question would arise from the Tunisian one. In the course of my remarks, I hope briefly to explain in what manner the subjects are related to each other. It may first be convenient to remind the House, although in a very perfunctory manner, of the events which formed the Tunisian complication. We need not dwell upon the language of the noble Marquess opposite (the Marquess of Salisbury) to M. Waddington at Berlin, because, whether or not the circumstances justified it, it does not seem to have had any influence on subsequent proceedings. M. Waddington was deprived of power, and never acted upon any lesson which the noble Marquess had suggested. Beyond that, the system of M. Waddington in Tunis might have been wholly different from that which has been actually exhibited. We next have before us the unfortunate career of a British subject — Mr. Levy — violently driven from one tribunal to another. All recollect the measures of the Bey against the Kroumirs, and the marches of the French against the Bey, which ended in the Treaty of Bardo, and the astonishing compulsion of the Regency to accept as First Minister the Consul General of France, by whom the war had been promoted. At this stage authentic knowledge ceases. The prudent combination of the Government has been—on Egypt, slow and fragmentary light; on Tunis, sudden and unmitigated darkness. We are only led through journalists and travellers — particularly Mr. Wemyss Reid, to whom the best acknowledgments are owing—to believe that the French Protectorate was soon resented by a considerable body of insurgents; that Kerouan, the sacred city, has been occupied; that the Regency has been disturbed by intricate campaigns, by hard-fought battles, and by general confusion; and that the Bey—a virtual prisoner of France—has been compelled, ostensibly at least, to direct his arms and his resources against the loyal masses who were struggling to release him. It is only, too, through sources of that kind we are led to think that the origin of the war was investigated last December in a Parisian Court of Justice, and, after great forensic efforts on both sides, was attributed by a jury, whom no power could abash, to the intrigues and follies of the late Consul General. Such may be regarded as a chain of the events, if they are all confirmed—if none of them are fabulous. The conclusion they suggest, although they do no more, is that the true line of Great Britain would rather be to favour the departure of the French than sanction a Protectorate which detains their forces in the territory they have occupied. I admit, again, that a conclusion of the kind is but suggested by the narrative in the possession of your Lordships. It requires more than such a narrative to vindicate it. However it may be sustained by this consideration, the best despatch writers of France have ineffectually laboured to establish that Tunis does not enter into the Ottoman Empire. They urge that France has not acknowledged its dependence. They might there be checked, as France on various occasions, and all through the Crimean War, acknowledged its dependence. Let it be granted that she never did so. Have other nations recognized its independent nationality? They have not. The doctrine, therefore, is that dependence is annihilated if one State refuses to acknowledge it; while independence may subsist, although a large majority of States refused to acknowledge it. But recognition or acknowledgment is more essential to independence than dependence. The only escape is that when the voice of France is in one scale, and that of Christendom, together with the Caliph, in the other, the voice of France ought to preponderate, and that of Christendom, together with the Caliph, to give way. Whether or not that ought to be so, the Foreign Office do at present hold that Tunis belongs to the Ottoman Empire, in the same way as Tripoli, or Egypt, or Bulgaria. The occupation is a blow, therefore, to the authority and prestige of the Sultan. Great Britain is perpetually seeking to control or influence the Sultan. At this very hour she is doing so in the midst of a most critical occasion. To restore the credit of the Sultan, so far as the Tunisian occupation has impaired it, would be consistent with her language, and auxiliary to her objects. There is something else to be considered. According to official phraseology, a French alliance ought to be guarded now as sedulously as it was before 1870. The principle is excellent. But when France occupies the territory of an Empire which we desire to maintain in its integrity, a strict alliance with her is not possible. If Governments attempted, national opinion would prohibit it. If no obstacle precluded it, all through the East it would be fatal to our objects. But there is a far more grave consideration as to Egypt. I began by stating that the difficulties of Egypt and of Tunis were connected. It is here that the opinion ought to be supported. Until the subject is more thoroughly elucidated, the disastrous movement of Arabi Pasha can be ascribed to no more likely cause than to the spectacle which late events in Tunis have exhibited. It is a movement against the Egyptian status of the Western Powers, of which one has actively promoted the humiliation of the Sultan; the other silently acceded to it. The events in Tunis, cold, pre-occupied, and distant as we are, have made on our minds a shadowy impression. How far more serious has the impression naturally been on the Mahometans of Africa, who recognize the spiritual power of the Caliph? How much more deeply than ourselves must they have felt the quick surrender of the pretexts by which the expedition was defended; the rapid war, without a declaration to commence it, against a Potentate whose absolute supremacy was first ironically blazoned; the indignities by which the Treaty was extorted; the grasping stipulations it included; the enforced subserviency of the Bey to a foreign, hostile, and encroaching Representative; the accumulated miseries a neighbouring dependency has suffered? But, my Lords, we are not left to any speculative argument. An Egyptian journal, cited in the Papers now before us, has distinctly justified the movement on the ground that the population feared lest France should meditate in Egypt what in Tunis had already been effected. Mr. Blunt, who is a witness as to facts, although he may not be an arbiter of policy, who is, besides an organ of the movement, a negotiator for the rebel, a few days back, in a letter to *The Times*, advanced the same interpretation. To what opinion can we come, except that the departure of the French from Tunis is among the first conditions of establishing tranquillity in Egypt? Let me now endeavour to review, with the permission of the House, the modes of prosecuting a result observed on these conclusive grounds to be desirable. It will hardly be brought about by the sole exertions of Her Majesty's Government. It is true they never gave their sanction to the war, except in absolute reliance on the good faith of the assurances that it was directed only to secure the Frontier of Algeria against incursion from the Kroumirs. It is true they might consistently protest against continued occupation. But the language of the Government after the Treaty of Bardo will hardly sanction any hope of their activity in this way. The despatch of May 20th informed France that the Treaty of Bardo, and the proceedings which it crowned, had not made "a favourable impression" on our public; but did not even venture to admit that the Government partook the feelings of the country it was acting for. No one who studies that despatch will rely upon the conduct of the Government as a means of extricating Tunis from the force which seems, at least, to be oppressing it. If Her Majesty's Government had influence to close the occupation, they would have had influence to guard against it. Again, if they desired to close the occupation, they would not so long have left the struggle of France and Tunis in obscurity. It is the very line by which the action of the former is protected. The authorities of Italy, no doubt, have strong convictions that the French ought to withdraw. But, in spite of strong convictions, they have looked on from the beginning to this moment. A great interpreter of Italy, Signor Gallenga, holds that she has not become a military nation. On that point he may be possibly mistaken. At least, Italy cannot, like France, look back to old traditions of success and many centuries of warfare. Italy might lend Great Britain important aid; but is not likely, by assuming an initiative, to direct or supersede her. The imaginary essence sometimes described as the European Concert —a term unknown to former annals of diplomacy—will hardly form the agency desired. Since the Crusades there never has been such an union. The existing Conference, indeed, may be thought to resemble one of the Crusades, since it has seized Constantinople, against the wishes of its Ruler, as a basis of the further struggles which it meditates. I only mention that in passing. The real fact is, that Europe has in later times been always balanced and divided. Even in 1815, when a greater number of Powers were drawn into a League than at any other moment—they are all enumerated in the life of Mr. Herries, who acted as their subsidizing patron—France, a large exception, was not included in the system. The Concert now poetically fancied is not bound together by any Treaty whatsoever, a fact last year discovered to your Lordships. During the autumn the component parts have been in discord as to Egypt. It will be of no more value to deliver Tunis than it was of value to defend it. By these reflections, steadily pursued, we may be led to think that the influence of Germany is the only influence sufficient for the object. The position of Germany at Metz, if nothing else, secures a *locus standi* with French counsels. If Germany resolved that the Tunisian occupation ought to cease, although it lingered on, it would not be enduring. But as soon as an attempt is made to gain the influence of Germany, two objections are not unlikely to present themselves. The expenditure of France in Africa has been regarded as a barrier to any other war she might attempt. It might thus appear to be a sacrifice on the part of Germany to put an end to the embarrassments of Tunis. This argument, no doubt, admits of being replied to. It is unfortunately strengthened by another. When, in 1879, Germany had withdrawn herself from Russia at great risk, the year after—1880—Great Britain lent herself to Russia by submitting to a Prime Minister who had lately been the ardent champion of that Empire, and by submitting to him against all the usages, the pledges, and engagements which ought to have ensured a wholly different situation. An appeal to Germany would, therefore, be as unbecoming as it might be ineffectual. What alternative presents itself? To correct the Ministerial position by which Germany is well entitled to be alienated, and in regaining credit for ourselves to pave the way for the recovery of Tunis to the Sultan. I move an humble Address to the Crown for further Correspondence on the affairs of Tunis.

Moved for, "An Address for further correspondence respecting the Affairs of Tunis."—(*The Lord Stratheden and Campbell.*)

EARL GRANVILLE: My Lords, there are some considerations which the noble Lord (Lord Stratheden and Campbell) has brought under your notice to which I should not myself find it easy entirely to reply. If it were necessary to reply, I think the burden would probably rest more on others than myself. I will, therefore, address myself to a statement which the noble Lord made, and also to the suggestion of the policy he has advised Her Majesty's Government to take. He complains that for some months past no Papers have been presented to your Lordships with regard to Tunis. There are no Papers of any very great importance; but what Papers there are, I shall be most happy to accede to the noble Lord's Motion and present them to your Lordships. I may say, at the same time, that since the last Papers were presented our relations with the local authorities are on a much more satisfactory footing than they were. I do not wish to make any complaint against any particular Representative of any Foreign Power; but it is quite natural that in consequence of the tension produced by the state of things following the entrance of the French troops into Tunis, there was a degree of irritation among the Consular authorities which did not conduce to the harmonious conduct of Business. Since then the *personnel* of the French representation has been changed, and I am happy to say, however, that at the present moment nothing could be more harmonious, nor could the desire on the part of the French Representative to meet all the just and reasonable claims of other Powers be apparently stronger. Several subjects which have been mentioned to your Lordships have been more or less settled. We have heard a great deal of the Enfida case. That case, which never reached a point at which we were advised that we could take formal action, is now entirely taken away from becoming a question calling for any international interference by an arrangement which is perfectly satisfactory, as I understand, to all the parties concerned. All the Powers concur with England. With regard to several other matters, they are still either under the consideration of the two Governments or we are waiting for further information, in order to hear the opinion of our Legal Advisers as to what course we ought to pursue. With regard to the question of our policy, it is rather a serious matter to deal with the matter to which the noble Lord alluded. The noble Lord says it is the duty of Her Majesty's Government to favour the withdrawal of the French troops from the Regency. On that point, I may say I do not think Her Majesty's Government would make any objection if the French Government withdrew their troops from Tunis; but I think it is not likely that France will withdraw her troops. With regard to the adoption of any stronger measure, such as that of forming a League for the purpose of driving the French out of Tunis, I am not aware that the Government have any intention of proceeding on the noble Lord's advice.

Motion *agreed to.*

IRELAND—THE CHURCH TEMPORALITIES COMMISSION—ARREARS OF RENTS AND INTEREST.

QUESTION. MOTION FOR A PAPER.

LORD STANLEY OF ALDERLEY, in rising to ask the Lord Privy Seal, Whether Her Majesty's Government will cause the Church Temporalities Commission to postpone their claims on estates on which the rents have not been paid; and to move for a Return of the amount of arrears of rents and interest due to the Church Temporalities Commission, said: My Lords, when your Lordships passed the Land Act of 1881, it was on the understanding that it would produce little alteration in the bulk of the rents in Ireland; but now that a uniform reduction, frequently much in excess of 25 per cent, has taken place on the large estates, as well as on the smaller ones, purchased from the Encumbered Estates Court, a corresponding reduction should have been made in the amounts payable to the Church Temporalities Commission, by estates of which the power to pay these charges had been diminished by a fourth. Indeed, before your Lordships passed the Land Act, the Prime Minister had said that there would be no ground for asking for compensation for the landlords, owing to any general reduction; but that, should the contrary prove to be the case, the question of compensation would arise. It is, therefore, a matter of surprise that Mr. Gladstone should since have taken a different view, notwithstanding that he and his family had received £68,000 compensation for their slaves in the West Indies. Now, however, the Government has failed to secure the ordinary course of law in

Ireland, and Members of the Government, not content with encouraging, by their speeches and attempts at legislation, those who have brought about the failure of legal processes, have alternately accused those who are suffering by the interruption of law and order, of remissness and harshness; and it would have been only natural to expect that the Government should have itself set the example of avoiding undue harshness, by remitting the payment of taxes upon a non-existent income, and those rent-charges due to the Church Temporalities Commission, which has now become a branch office of the Inland Revenue, since no spiritual services are rendered to those who have to pay what formerly were tithes. Instead of such moderation and forbearance, we find that the Government have been exacting Income Tax and all the charges due to the Church Temporalities Commission. Many Irish landlords have paid Income Tax on income that they have not received, and the Government have not been ashamed to allege their payments of Income Tax as proofs that rents are being paid in Ireland. Not only are the Government exacting taxes imposed when the country was in a normal condition and still possessed a Government, but they are contemplating fresh exactions from the impoverished Irish landlords. This would be incredible, were it not established by the evidence of Mr. Godley on the first day that the Committee on the Land Act sat. In answer to Questions 326-332, it came out that the Government intended to require stamps of an unknown value to be affixed to the agreements made under the Land Act. What the Government are doing by allowing the Church Temporalities Commission to insist upon their claims is well and clearly stated in a letter of Mr. Caledon Dolling, in *The Irish Times*, of June 17—

> "An estate which I know in King's County, rental £1,500, is charged to the Church Temporalities Commissioners with a yearly head rent of £400 and an interest of £100 a-year. The tenants refused to pay on this property, and there is more than two years' rent due on it. The head rent to the Church Commissioners is in arrear two years. The interest had to be paid, or they would have charged penal interest. The estate is 20 per cent under Griffith's valuation. The landlord, being continually pressed by the Church Temporalities Commissioners, took proceedings. He issued 40 writs, and proceeded to sell out 10. The costs up to this date are £500. The total amount sued for is £620. If he proceeds to evict the 10, it will be close upon another £100 between caretakers' and other expenses. What is he to do? Who is to blame for these evictions? Is it not by reason of the Church Temporalities Commissioners pressing that these evictions have taken place; and, is not Mr. Trevelyan responsible for the Church Temporalities Commissioners, now the Land Commission? If he brands the landlords with eviction, is he not guilty of it himself? Should not the Government, on their side, give an order to the Land Commission to stay all proceedings for head rents, tithe rent-charges, and interests for the present, and why do they not do so? Because they fear to show the rental of the Church Temporalities Commissioners, which has such enormous arrears on it."

So that, whilst the interests of the United Kingdom require that forbearance should be exercised on all hands in the matter of claiming the payment of debts, the Government, like the wicked servant in the Gospel, turn round upon their fellow-servants, the landlords of Ireland, who have been patiently waiting for what their tenants may please to pay them, and exact from them payment of taxes and of penal interest to the Church Commission. But the conduct of the Government is even worse in morality than that of the wicked servant—for he only claimed his own, and was wicked, because he refused to others the merciful consideration which had been granted to himself. The Government, however, are claiming taxes which have not been earned, since the Government has ceased to fulfil the duties and functions of a Government and to secure the lives and properties of its subjects. After the recent murders in the Phœnix Park, the Spanish Press asked how it was that loyal and orderly subjects continued to pay taxes to a Government which had forfeited its claim to them? But it is unnecessary to quote foreign contemporary opinion. It is one of the earliest of sound Whig principles that taxes should be refused to an unjust Government; and what Pym and Hampden and Sydney thought right must be right now. With regard to the Return of Arrears due to the Church Temporalities Commission, for which I have given Notice of Motion, there can be no difficulty in making it out, if the books of that Commission are kept regularly; and any objection to give such a Return can only be caused by its showing, either the harshness with which that Commission exacts its dues, or else, because it would show that the Church Fund is not so large as has been anticipated. In view of the pressure put upon Irish landlords by the Government through the Church Temporalities Commission, at the same time that it has put every discouragement in the way of their obtaining the payment of their debts, and has lately described such efforts as unpatriotic, it becomes a duty to remonstrate against the careless language used by some of Her Majesty's Ministers. Idle words would seem to be a better term than careless language or reckless utterances, because it appears to be almost impossible to bring those who utter this language to any account here, and that these words must be left to be accounted for by them hereafter. The evictions that have been most notable of late are those on Lord Cloncurry's estate; in those cases the tenants could pay, but did not, at the bidding of the Land League. It is evident that, since the announcement of the Arrears Bill, the payment of rent has ceased nearly everywhere in Ireland, not only by those small tenants who might be affected by the Bill, but also by the larger tenants. Yet the Chief Secretary for Ireland speaks of the number of evictions as appalling. A short time ago the Attorney General for Ireland, in answer to a Question as to whether Mr. M'Gloin had shot his would-be murderer, replied—"I am sorry to say that the statement is substantially true." As he went on to mention evidence that the man who was shot had intended to commit murder, he ought to have said that he rejoiced to say. The Lord Lieutenant has, however, rebuked this language, as it deserved, by his recent action in a similar case, when he sent £10 and a double-barrelled gun, with a letter of commendation, to a man who had courageously repelled some midnight assailants. It is useless now to recapitulate the Prime Minister's rash speeches, or the encouragement to outrage and murder contained in Mr. Bright's exultation over the fact that landlords were running away for their lives; but it may be well to remind noble Lords on the Front Bench that they are accountable for such speeches, and for their results, so long as they sit in the same Cabinet with their authors. The noble Lord concluded by asking the Question and making the Motion of which he had given Notice.

Moved for, "Return of the amount of arrears of rent and interest due to the Church Temporalities Commission."—(*The Lord Stanley of Alderley.*)

Lord ORANMORE and BROWNE said, he would call their Lordships' attention to a case of hardship, that of a tenant under the Church Temporalities Commission, who was compelled to pay to that Body the whole of his stipulated rent without reduction, while his own tenants were applying successfully to the Land Court for a reduction.

The Bishop of PETERBOROUGH said, he also wished to mention a case of hardship. It was the case of some near relations of his own, possessors of valuable property in Tipperary, which they held under very heavy head-rent from the Church Temporalities Commissioners. The land, to the best of his belief, was not rented above Griffith's valuation, and the rents had not been raised during the last 50 years. During the last two years they had scarcely got a penny of rent. Last year they had got none, and still they were compelled to pay this head-rent to the Church Temporalities Commissioners, who, if he were not mistaken, were simply Government officials. It seemed to him an extremely hard case that while the Church Temporalities Commissioners were pressing these unfortunate landlords, and thereby forcing them to bring pressure upon their tenants—a proceeding which gave rise to violent feeling in the locality—there should be an outcry amongst Liberals, as lately shown in a speech of the Chief Secretary for Ireland, against the heartless and unpatriotic cruelty of starved landlords who were compelled, in order to pay the Government, to take steps against their tenants. It did seem to him that the position of the Irish landlords, between tenants who would not pay, and the Government who made them pay, was like that of a person who was being ground, and that not very slowly, between the upper and the nether millstones.

Lord CARLINGFORD (Lord Privy Seal): I need hardly remind my right rev. Friend that the words of the Chief Secretary for Ireland had no relation whatever to the case of tenants who can pay and will not pay; but I will not go into that matter. I am not quite sure that I have to-day sufficient information to answer the points raised or not by the right rev. Prelate and the noble Lord who has preceded him (Lord Oranmore and Browne); but I have information from the Commissioners which, I think, will be satisfactory to the noble Lord who asks the Question (Lord Stanley of Alderley). The Land Commissioners inform me that they do not press for payment of money due to them out of estates where they are satisfied that the rents have not been received. That is the information which I have received from the Land Commissioners, and, owing to its satisfactory nature, there appears to be no ground for the interference of the Government. With respect to the Return asked for by my noble Friend, there will be no difficulty in producing it.

Motion *agreed to*.

Return *ordered* to be laid before the House.

PARLIAMENT—BUSINESS OF THE HOUSE—THE LAND LAW (IRELAND) ACT (1881) AMENDMENT BILL.

QUESTION. OBSERVATIONS.

THE EARL OF GALLOWAY asked the Secretary of State for Foreign Affairs, Whether, in consideration of the statement of the Prime Minister on public business on the 20th instant, in which he specially alluded to the necessity of amending (1) the leases, (2) the labourers, and (3) the purchase clauses of the Irish Land Act, 1881, and followed up his allusion to this subject by stating that—

> "Although in reference to it he could give no positive intention on the part of the Government, he could only give assurances that the Government will endeavour to make up their minds at what they think the proper time,"

it might not be advisable for Her Majesty's Government, when they have definitely made up their minds upon the provisions of this proposed Irish Land Act (1881) Amendment Bill, to introduce it into this House, with a view of giving the country some knowledge of what is proposed as well as of accelerating the progress of the Bill through Parliament? The noble Earl, after apologizing for the length of the Question as it appeared upon the Paper, said, that during the last two years they had been accustomed, on every occasion when the Prime Minister made a statement on which a Question afterwards arose, to have his words explained away in one manner or another; and therefore he (the Earl of Galloway) had thought it only right to quote the words of the right hon. Gentleman before alluded to. He would call their Lordships' attention to what he might call the right hon. Gentleman's prefatory remarks, spoken on Tuesday last, with respect to Public Business, and intended, no doubt, as much for the benefit of that as of the other House of Parliament. The Prime Minister first repeated what they were all aware of—that the Government stood pledged to proceed in the first place with the Prevention of Crime (Ireland) Bill, a statement which would be approved on both sides of the House. The right hon. Gentleman then proceeded to say that Her Majesty's Government felt it of importance that they should proceed with the Arrears of Rent (Ireland) Bill, and that they were going to ask that it should have precedence over all other Business except the Prevention of Crime Bill. Now, they all knew that the Arrears of Rent Bill contained principles which were of an entirely novel kind, and which, so far as they could glean from gentlemen connected with both sides of politics, were considered of an almost unprecedented nature. In consequence of that opinion, there could not be a doubt that before it came away from the other House it must go through an amount of sifting and searching criticism which would make it a considerable time before it could come to their Lordships' House. It was a Bill which he had no doubt would go down to posterity as the "Kilmainham Treaty Bill." The Prime Minister then observed that the Government intended to persevere with the Corrupt Practices Bill; fourthly, he thought it would be necessary to introduce a measure for the disfranchisement of certain boroughs; and, fifthly, to bring in a Bill, not for the continuance, but the amendment of the Ballot Act. Sixthly, the right hon. Gentleman referred to the Procedure Resolutions; and he said he was to give a special night for the discussion of the Egyptian Question. All that information was given on Tuesday; and since then, in answer to a Question of his noble Friend below him (the Earl of Sandwich), it was stated that Her Majesty's Government intended to persevere with the Rivers Conservancy and Floods Prevention Bill. All these measures had been introduced in the other House of Parliament, and it was evident that none of them would come before their Lordships until they had passed the ordeal of the other House. In the statement made last week, before the right hon. Gentleman used the words to which he (the Earl of Galloway) was drawing attention, he alluded especially to the fact that the amended Irish Land Bill should certainly embrace three particular points —the amendment of the Leases Clauses, the amendment of the clauses with respect to Labourers, and the amendment of the Purchase Clauses of the Act of last year. The right hon. Gentleman then proceeded to say—

> "I can announce no intention, no positive intention, upon the part of the Government; I can only give assurances that we will endeavour to make up our minds at what we think the proper time."—[3 *Hansard*, cclxx. 1774.]

That statement was open to three questions. It was open to anybody to ask the proper time; whether the Government intended to make up their minds; and when they meant to endeavour to make up their minds? Before proceeding further, he wished to remind their Lordships of what had happened in regard to the Irish Land Act in their Lordships' House. It would be within their recollection that, at the beginning of the Session, their Lordships decided, by a substantial majority, though against the wish of the Government, that it was expedient that an inquiry should be made into the working of the Land Act of last year. It would also be within their recollection that that determination on the part of their Lordships produced a certain amount of rancour and hostility in the mind of the Prime Minister, and that it took a practical form. As regarded the result, however, he (the Earl of Galloway) did not know there was any other than a waste of the public time for three nights. But within a week of the exhibition of that rancour and hostility the right hon. Gentleman made the admission that it would be necessary to inquire into the working of that same Irish Land Act. Now, he (the Earl of Galloway) thought he was right in saying that that admission was made by the Prime Minister nearly four months ago. Therefore, the statement last week was merely a reiteration of what he stated four months ago. He thought it would be quite evident to their Lordships that that Bill, even if Her Majesty's Government did succeed in making up their minds, could not be brought into the other House of Parliament before the month of August; and it did seem to him that Her Majesty's Government were bound, in their intention to deal with it, that a Bill of such moment, involving interests of such magnitude, and which had caused a great deal of discussion and feeling in Ireland, should first be brought before their Lordships. He did think Her Majesty's Government were entitled to accede to the proposal, and in order that the country might have an early opportunity of seeing the provisions of the Bill it should be introduced into their Lordships' House. It used to be the custom of the other House to allow an interval of three weeks between the introduction of a Bill and the second reading; but he feared that that salutary practice was now obsolete. Perhaps circumstances made such an interval impossible in the present day; but, as far as the public were concerned, much the same result would be obtained if the Bill were first introduced into their Lordships' House. Otherwise, if the Government could not introduce it into one House, and would not introduce it into the other, it might be thought, after the Prime Minister's recent statement, that they were trifling with the patience of the country and dignity of Parliament. The dangling of a Bill in that way before Parliament, as a sort of horoscope, was much to be deprecated.

LORD ORANMORE AND BROWNE said, that the Irish Question was so constantly before that and the other House, that hardly anything that could be said would throw any new light upon it. The statement of the Prime Minister was, however, of vital importance, coming as it did less than a year after the passing of the Land Act, and at a time when its action had put the landlords and tenants of Ireland in the peculiar position not only of suffering for what had been done, but in not knowing how much they would suffer in future. When the Land Act was discussed early in the present Session, the opinion was generally expressed on the Ministerial Benches that the worst cases of rack-renting came first into Court, and that the Commissioners would not, as time went on, make such general or such large reductions of rent. But it had altogether worked in another direction; for, since that debate, the prophecies made on the part of the Government, and in defence of the conduct of the Commissioners, had not proved true, and the experience of the cases which had come before the Land Courts had taught them that the Land Act had already deprived the landlords of about one-fourth of their property. Now, he should like to know what guarantee there was that the new changes shadowed forth by the Prime Minister would not take away the few remaining rights of the landlords and the residue of their income, for the proposal of the Government looked very like carrying out the recommendations of Mr. Redmond's Bill. It might not be a Treaty, but here were the "suspects" all out, and part of a measure proposed by the Representative of the extreme Irish Party brought forward, and the other items promised to be brought forward by Her Majesty's Government. If that was not a Treaty, he did not know what was. What were Irish landlords to expect, or how could they possibly make any arrangements, when there was a new sword of this kind hanging over their heads? What could they expect from the Purchase Clauses of the Act, which were the only means they had of escaping from the unfortunate position they were in? When they knew their rents were to be reduced in the future, they certainly consoled themselves in the hope of getting the arrears of the past; but there was introduced a compulsory measure which released the tenant of his obligation to pay his arrears. The Bill would not reach their Lordships' House till late in the Session, after the passing of the Prevention of Crime (Ireland) Bill, when the noble Earl the Leader of the House would press upon them the necessity of accepting it without delay; but surely, if they were threatened with the loss of a large part of arrears due under the sanction of a Bill in Parliament, they ought to be allowed time to discuss it.

Earl GRANVILLE, interposing, said, that the Government were as anxious as anyone could possibly be, and most desirous to introduce the Arrears of Rent (Ireland) Bill at the earliest possible time; but whatever faults it might possess, and whatever difficulty there might be in discussing it later on, the noble Lord opposite (Lord Oranmore and Browne) was clearly out of Order in doing so at the present moment.

Lord ORANMORE and BROWNE said, he did not intend to discuss the Bill, however much it might be a common practice in that House. The tenants who were making efforts to pay up rents were, in consequence of the introduction of that Arrears Bill, now paying none.

The Earl of LONGFORD rose to Order. The question was, whether a certain Bill should be introduced in that House or "elsewhere."

Lord ORANMORE and BROWNE: I do not know that I am in the least out of Order. It would be well my noble Friend should read the Notice on the Paper.

The Earl of CAMPERDOWN: I think the noble Lord has already made two or three speeches.

Lord ORANMORE and BROWNE proceeded to say the statement referred to of the Prime Minister would tend to increase disorder in Ireland. It had already prevented arrangements being come to in regard to rent, and also the payment of arrears, and it would greatly embarrass the action of the landlords. Landlords were so placed that they did not know what to do, and they were often compelled by circumstances to act in a way they would not in a more settled condition of things. There was a report that the Prime Minister was well satisfied with the results of his Irish legislation, and that they did not disturb his rest. That showed that he had got a fine constitution; but if he could see the unfortunate results, it would not be surprising that his rest, like that of Macbeth and Richard III., should be disturbed by the ghosts of those who, through his mistaken policy, were now in another world.

Lord CARLINGFORD (Lord Privy Seal) said, it appeared evident to him that the House did not intend to be led away by the allurements of the noble Lord (Lord Oranmore and Browne) to enter into a discussion of the Irish Question upon this inquiry, which had been accurately described as one relating simply to the procedure of the two Houses of Parliament upon a possible

Bill; and he should absolutely decline to follow the noble Lord by attempting to discuss the Arrears of Rent (Ireland) Bill now before the other House. The noble Earl (the Earl of Galloway), he thought, had not quite accurately conveyed the purport of what was said the other day by the Prime Minister when, in the course of a long statement, he referred to the Land Act. The Prime Minister made no announcement on the part of the Government of any intention to bring in a Bill relating to any part of the Land Act, excepting, of course, that which was before the other House dealing with the arrears. What the Prime Minister said was that there was the question of the Purchase Clauses, which would, sooner or later, have to be dealt with. The noble Earl spoke of the subject as if it were the property of Mr. Bright; he seemed to have forgotten the Report of their Lordships' Committee on that subject. The Prime Minister added that certain suggestions had been submitted to the Government by the Land Commissioners, as to leases and labourers—that was, as to the effectiveness of the provisions in the Land Act with respect to labourers —but he said that the time had not arrived when it would be possible for the Government to say whether they could deal with these points by a measure during the present Session. The Prime Minister also said that when the Government knew they were through the two Irish Bills now before the House, they would decide whether or no they could attempt to remedy the defects of the Land Act this Session; and, if so, that would be the time for them to consider in which House the Bill should be introduced. But, of course, they reserved that question until they had decided whether there should be such a Bill at all.

THE EARL OF LIMERICK said, that the formation of a Labourers' League in Ireland, for the purpose of promoting the interests of labourers, and ready to seize upon any idea that might be thrown out to them, indicated the danger of the situation, and made it desirable that the views of the Government as to whatever was to be done should be formulated as soon as possible. It would be very undesirable, and it could not be the wish of the Government, that that League should assume the same character as the League formed by the tenants.

THE EARL OF GALLOWAY said, he had thought it necessary to refer to the words of the Prime Minister, because certain questions respecting the Labourers' Clause had been the subject of recommendation by the Land Commissioners to the Government; and there was also a question as to the Purchase Clauses. Those were both important points, and, while acknowledging what had fell from the noble Earl opposite (Earl Granville), he should be glad to have some assurance from the Government as to when they intended to make up their minds on the subject.

LUNACY DISTRICTS (SCOTLAND) BILL.

(*The Earl of Dalhousie.*)

(NO. 117.) COMMITTEE.

House in Committee (according to Order).

Clause 1 (General Board may alter or vary districts, subject to modification, &c. by Secretary of State).

On the Motion of The Earl of DALHOUSIE, the following Amendments made: —In page 1, line 28, leave out (" may be requisite ") and insert (" they may think fit "); and in page 2, line 1, leave out (" such ") and insert (" any "), and after (" board ") insert (" interested ").

LORD BALFOUR, who had the following Amendment on the Paper :—In page 1, lines 25 and 26, leave out (" or the parochial board of any parish or combination interested "); page 2, line 1, after (" supply ") insert (" or "), and after (" magistrates ") leave out (" or parochial board "); line 2, leave out (" modify ") and insert (" annul "), said, its object was to provide means whereby the districts into which Scotland was divided for lunacy purposes might be varied. There was formerly a power vested in the prison boards to petition the lunacy boards to vary their districts when the necessity arose. As their Lordships were aware, however, prison boards had now ceased to exist in the counties of Scotland, and it would be necessary to appoint some other body to exercise the power formerly belonging to the prison boards. The Bill proposed that the commissioners of supply in counties, and the magistrates in burghs, should exercise that power. That, he ventured to think, was perfectly right, because they were the nearest representatives of the old prison boards; but the Bill further provided that the parochial board of any parish interested should also have power to petition for this purpose. He had asked, when the Bill was before the House the other day, why it was necessary to give this power to the parochial boards, because, heretofore, they had not been a unit—if he might use the expression—in the administration of the Lunacy Acts in Scotland, and it seemed to him a novel and unnecessary power to give to bodies constituted as parochial boards in Scotland were; and in view of getting their Lordships' opinion on the point, he had given Notice of the Amendment that stood in his name on the Paper that day. Since he gave that Notice, however, it had been represented to him that there were some large parishes which ought to have this power, as they provided asylums of their own, the population being sufficient to warrant them in doing so. He ventured to think that that was no reason why all parochial boards in Scotland should have that power given to them, because it was necessary to give it to a few large parishes. Therefore, he should be inclined to move his Amendment, unless he heard from the noble Earl who had charge of the Bill (the Earl of Dalhousie) that the Government would be prepared to assent to words that would limit this power to petitioning to boards which were large-sized, or had already built asylums of their own. For the sake of raising the question, therefore, he begged to move the Amendment that stood in his name; but if the Government were prepared to accept a modification of the clause he would not press it.

THE EARL OF DALHOUSIE said, he was glad to be able to tell the noble Lord opposite (Lord Balfour) in the House what he had already told him in the Lobby—namely, that the Government were quite ready to insert an Amendment on Report which would meet the objection of the noble Lord.

Clause, as amended, *agreed to.*

Remaining clause *agreed to.*

House *resumed.*

The Report of the Amendments to be received *To-morrow.*

Lord Balfour

EGYPT (POLITICAL AFFAIRS) — MR. WILFRED BLUNT.

QUESTION. MOTION FOR PAPERS.

LORD LAMINGTON rose to call the attention of Her Majesty's Government to a letter which appears in the "Times" of Friday the 23rd instant, from Mr. Wilfred Blunt, addressed to Mr. Gladstone, in which the following passage occurs:—

> "You are aware, Sir, that I was engaged during the past winter as mediator in a variety of unofficial but important negotiations carried on between Sir Edward Malet and Sir Auckland Colvin on the one side, and the Chiefs of the National Egyptian Party on the other, negotiations in which I engaged my personal honour for the loyalty of Her Majesty's agents; also that I have been in close communication with those Chiefs since my return to England;"

and to move for any public correspondence which has passed between Sir Edward Malet and Sir Auckland Colvin and Mr. Wilfred Blunt. The noble Lord said, this letter involved the character of certain important officials in Her Majesty's Government. Their Lordships were aware that, during the last two months, two gentlemen had been very actively occupied as amateur diplomatists in Egypt; and, in his opinion, a great deal of the unfortunate condition of affairs in the East was due to the action of these two gentlemen. This was apparent from an account which he would read from *The Standard* of last Saturday, of an interview the correspondent of that paper had had with Arabi Pasha. He said—

> "To-day I had an interview with Arabi Pasha. He was surrounded by about a score of officers. . . . . His bearing was quite haughty. . . . . . He displays no desire to communicate his views to England. 'My friends, Blunt and Gregory,' he is fond of saying, 'have told all that there is to tell that is true. What is the use of asking me to recapitulate their observations?' At the same time, he so far unbent himself as to converse a little with me. He said, 'I attribute all the evils of the present crisis to Malet, Colvin, and several of the correspondents of the English newspapers. They have all with one accord made it a point to mislead the English public by persistent misrepresentations. England had the whole truth from Blunt and Gregory, but she preferred to believe not these honest men, but the lies, official and unofficial, to which she lent a too-ready ear. Let her, then, take the consequences of her folly. I hold her responsible.'"

Without saying anything as to the insolence of Arabi Pasha, the passages he had quoted showed the influence which those two gentlemen—Mr. Blunt and Sir William Gregory—had exercised in Egypt, an influence which he (Lord Lamington) could not but say was mischievous. Sir William Gregory, who was well known in this country, had passed the winter at Cairo, whence he sent long letters to *The Times* upon the Egyptian Question. He (Lord Lamington) was much surprised at the publication of those letters by such a great organ of public opinion, and he did not hesitate to say that those letters were copied and sent back to Egypt as the expression of public opinion in England upon the subject, and that a great deal of harm had been done by this attempt on the part of Sir William Gregory and Mr. Blunt to create an ideal for the National Party in Egypt. With regard to Mr. Blunt, he must ask the Government for an explanation. Had he held any position under the Government? In the letter to which he had referred, Mr. Blunt stated that he had been engaged as mediator in a variety of unofficial but important negotiations, carried on between Sir Edward Malet and Sir Auckland Colvin on the one side, and the Chiefs of the National Egyptian Party on the other; negotiations in which he engaged his personal honour for the loyalty of Her Majesty's agents; also that he had warned Her Majesty's Government of the danger they were running from a false appreciation of facts, and that he had repeatedly urged the necessity of their coming to a speedy understanding with those in whose hands the guidance of the movement lay; that he had counselled them to the best of his ability during the recent crisis, and spared no pains to urge them to come to that settlement of their differences with the Khedive to which they had then happily arrived; and that in this he took upon himself a great responsibility. As in the case of Arabi, he would say nothing of the insolence of the general tone of Mr. Blunt's letter; but it was most desirable that the public ought to have some statement from Her Majesty's Government as to what Mr. Blunt's position really was; whether he was authorized to act as a negotiator and mediator between Sir Edward Malet and the Chiefs of the National Party. Having regard to this letter, it was, in his opinion, most desirable to know from Her Majesty's Government what was Mr. Blunt's precise position; and he, therefore, begged to move for the Correspondence on the subject.

Moved, "That there be laid before this House, copy of any public correspondence which has passed between Sir Edward Malet and Sir Auckland Colvin and Mr. Wilfred Blunt."—(*The Lord Lamington.*)

Earl GRANVILLE: My Lords, your Lordships are aware that Mr. Blunt is a man of ability. He was formerly in the Diplomatic Service; he is a personal friend of Sir Edward Malet, and he is also, from long residence in Egypt, acquainted with many Egyptians. It appears that he has had certain personal and unofficial communications with Sir Edward Malet on Egyptian matters; and, on one occasion, in December of last year, he was requested by Sir Edward Malet and Sir Auckland Colvin to obtain a promise from the War Minister that no disturbance should arise at the moment when the Controllers refused to allow an increase in the Army. I am sorry to say that Mr. Blunt's views were such as Sir Edward Malet—and I must say that I entirely agree with Sir Edward Malet—disapproved of. The noble Lord asks for the private communications which Mr. Blunt has had with the Government. They are simply these—When Mr. Blunt arrived in London I was very glad to see him, and to hear what he had to state, whether I agreed or did not agree with him, on a matter on which he was well informed. He spoke to me very eloquently upon his views. Those views did not produce any impression on me; for though I could agree with him that it was not the part of this country to prevent a prudent development of Egyptian institutions, I entirely differed with him as to the part Arabi Pasha had played in this matter. Since then I have not been in communication with Mr. Blunt on Egyptian affairs. It is hardly necessary for me to state to the House that the Foreign Office have not endeavoured to support Dervish Pasha in any illegitimate mode of getting rid of Arabi Pasha.

Earl DE LA WARR asked, if the noble Earl would produce a despatch of the 24th of December last or thereabouts relative to this subject?

Earl GRANVILLE, in reply, said, he would inquire whether there was a despatch of that date; and, if so, whether there was any objection to produce it. He had forgotten to state, with reference to the question raised by the noble Lord opposite (Lord Lamington), that there were no Papers, and, therefore, he supposed the Motion would be withdrawn.

Motion (by leave of the House) *withdrawn.*

PUBLIC SCHOOLS (SCOTLAND) TEACHERS BILL.—(No. 143.)

(*The Lord Privy Seal.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee upon the said Bill."—(*The Lord Privy Seal.*)

The Earl of GALLOWAY said, he wished to present a Petition from school teachers in Scotland in favour of an Amendment he had on the Paper to the Bill proposed by the Government. The present Bill was really the result of a Motion made by Sir Herbert Maxwell in the other House, and the effect of his Amendment was, that teachers should not only receive notice of the intention of a school board to pass a resolution for dismissal, but the ground upon which such notice was issued. The prayer of the Petition was entirely in unison with the spirit of the Bill, and he hoped the noble Lord the Lord Privy Seal would be able to accede to it. By adopting the suggestion in that Petition, the grievances of the teachers would be remedied.

Motion *agreed to.*

House in Committee accordingly.

Clauses 1 and 2 *agreed to.*

Clause 3 (Three weeks' notice to be given to members of school boards and teacher of motion for dismissal).

The Earl of GALLOWAY moved, as an Amendment, words providing that the circular convening a school board meeting to consider the question of a teacher's dismissal must state the reason for such dismissal. When a teacher received warning, it was, he contended, only fair that he should be informed of the reason. This Amendment really was to give effect to the prayer of the Petition that he had already presented to their Lordships.

Amendment *moved*,

In page 1, line 22, after the word ("meeting"), to insert the words ("and unless in such circular and in such notice the reason or reasons be specially stated by the member or members proposing it."—(*The Earl of Galloway.*)

Lord CARLINGFORD (Lord Privy Seal) said, it was quite impossible for him to accept the Amendment. At the present time the school boards of Scotland possessed a power of dismissal which was very considerably limited by the Bill. It was limited in a way which was satisfactory to almost everyone who took any interest in school administration. It was provided that ample notice should be given to a teacher before the question of his dismissal was considered, and also that it should only be considered at a full meeting of the board. His noble Friend (the Earl of Galloway) wished the notice to contain a statement of the proposed ground of dismissal. That, he (Lord Carlingford) thought, would be a most unfortunate alteration in the Bill, and certainly one which would not be in the interest of the teachers themselves. It was not in the interest of the teachers that the cause of dismissal should be published to the world, and remain for ever on record. The noble Earl was mistaken if he imagined he was acting in conformity with the wishes even of the school teachers. He (Lord Carlingford) had had communication with many teachers, who earnestly desired him to have the Bill carried as it stood, and not to accept the Amendment now proposed. Among others, he had himself received a voluntary communication from a very important body in Scotland—the Educational Union—in which they earnestly pressed him to the same effect. He hoped, therefore, the noble Earl would not press his Amendment, which he could not accept.

The Earl of GALLOWAY said, that after what had been said by the noble Lord he would not persevere with the Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Remaining clause *agreed to.*

House *resumed.*

Bill *reported* without amendment; and to be read 3ª *To-morrow.*

EGYPT (POLITICAL AFFAIRS)—THE DUAL NOTE TO THE KHEDIVE.

QUESTION. OBSERVATIONS.

THE EARL OF DUNRAVEN, in rising to ask Her Majesty's Government, Whether they will lay upon the Table of the House the Dual Note presented to the Khedive on the 8th January 1882, by the representatives of England and France in Egypt? said, that before putting the Question which stood in his name, he would like to make two or three remarks on the subject. It appeared to him that the Dual Note, which was presented to the Khedive by the Representatives of England and France, formed one of the most important episodes in the transactions which were taking place in Egypt. It was the result of many communications between the Governments of France and England, and it must have had a very important effect upon the Khedive and upon the Sultan. He (the Earl of Dunraven) was not aware whether the exact text of the Note was contained in the Papers which had been laid before Parliament. There was a telegraphic despatch from Sir Edward Malet, saying he had presented the Dual Note on the 8th of January; and there was before that a despatch from the noble Earl (Earl Granville) to Sir Edward Malet, giving him his instructions, telling him that, after consulting the French Consul General, he was instructed to make simultaneous representations. The noble Earl, on the 6th of January, wrote to Sir Edward Malet—

> "I have accordingly to instruct you to declare to Tewfik Pasha, after concerting with M. Sienkiewicz, who has been instructed to make simultaneously with you an identic declaration, that the English and French Governments consider the maintenance of his Highness on the Throne on the terms laid down by the Sultan's Firman, and officially recognized by the two Governments, as alone able to guarantee for the present and the future good order and general prosperity in Egypt, in which England and France are equally interested. The two Governments being closely associated in their resolve to guard by their united efforts against all cause of complications, internal or external, which might menace the order of things established in Egypt, do not doubt that the assurance publicly given of their formal intention in this respect will tend to avert the dangers to which the Government of the Khedive might be exposed, and which would certainly find England and France united to oppose them. They are convinced that His Highness will draw from this assurance the confidence and the strength which he requires to direct the destinies of Egypt and its people."

It was very difficult to understand that the whole of the Identical Note was contained in these words, because the whole tenour and effect of it was completely changed by the reservation or reservations which were made by the noble Earl. If the despatch which he (the Earl of Dunraven) had read contained the whole of the Identical Note, it appeared to him that it was utterly impossible, but that the scope and intention of the Note must have been misunderstood by the Khedive. In December, the noble Earl first wrote to M. Gambetta, agreeing that the time had come when the two Governments should consider what course had better be adopted by them. Her Majesty's Government also then thought that it was desirable that some evidence should be given of their cordial understanding, but that it required considerable and careful consideration as to what steps should be taken. After some further consideration the matter was a little more advanced. The noble Earl wrote to Lord Lyons—

> "The time has come when the two Governments should consider what course had better be adopted by both Governments. Her Majesty's Government also think that it is desirable that some evidence should be given of their cordial understanding."

After some further communication, the noble Earl stated that he agreed that it would be advisable

> "To convey collectively to Tewfik Pasha the assurances of the sympathy and support of France and England."

That led to the draft of the Identical Note, which was prepared by M. Gambetta, and submitted to Her Majesty's Government, and that appeared to him (the Earl of Dunraven) to be included in the despatch which he first read to their Lordships. The words contained in the despatch were very strong and very distinct. They conveyed the assurance that the two countries, France and England, would be found closely associated in the resolve to guard, by their united efforts, against all dangerous complications, and it stated that France and England would be united in opposing any dangers to which the Government of the Khedive might be exposed. The Dual Note was agreed to by the noble Earl, but agreed to with a reservation. It was not very easy to understand whether the noble Earl made one or two reservations. In a letter to Lord Lyons he stated that Her Majesty's Government assented to the draft declaration, with the reservation that they must not be considered as committing themselves thereby to any particular mode of action, if action should be necessary. Now, at first sight, that would appear as if Her Majesty's Government merely reserved to themselves the natural right of determining upon the mode in which action ought to be taken, or of deciding upon the particular form in which action ought to be taken; and that was the view of the reservation taken by M. Gambetta, because in a despatch, dated January 7, he said he observed with pleasure—

> "That the only reservation of the Government of the Queen is as to the mode of action to be employed by the two countries when action is considered necessary, and this is a reservation in which we participate."

But there was another view of the reservation taken which was mentioned in a letter from Lord Lyons to the noble Earl, which was received on February 4th. Lord Lyons there spoke of a conversation which he had with M. de Freycinet, who very naturally wanted to know what was the meaning of the reservation of the noble Earl, and Lord Lyons said—

> "I presume Her Majesty's Government are to be understood as reserving to themselves, as a matter of course, the right to determine whether action is necessary, but especially to guard themselves against being supposed to commit themselves to any particular mode of action if action should be found to be necessary."

Now, that was quite another matter. That reserve was not only as to the mode in which action should be applied, but the right to decide whether any action of any kind was considered necessary, and was to be applied. This view of the reservation was evidently that of the noble Earl, for in a despatch to Lord Dufferin he said that—

> "It was not true, as reported in the newspapers, that the French Government had proposed to us, or that we had agreed to promise the Khedive, material support."

It was difficult to understand how two great nations like England and France could use their united efforts in opposing anything, or could be found opposed to causes detrimental to the Khedive, if they had determined not to give him any material support. But he (the Earl of Dunraven) had nothing whatever to say against any reservation on that ground. It was perfectly right and proper that Her Majesty's Government should judge for themselves whether action was necessary, and what action was necessary. What he really wanted to know was, whether the fact of the reservation was made known to the Khedive; because, if not, it appeared to him the meaning of the Note must have been entirely misunderstood by the Khedive. With the double reservation the Note appeared to him (the Earl of Dunraven) to mean almost nothing. The noble Earl did not seem to have thought very highly of it, if he was correctly stated in the French Parliamentary Papers to have said, in conversation with M. Challemel Lacour, that he "never thought it would be of the slightest use." If the Note could not be of the slightest use, then what was the use of troubling the Sultan and Khedive with it? The Sultan, however, seemed to have taken a different view of it, and thought that it did mean something; because he remonstrated in the most vigorous terms, and stated that he objected to it altogether, as it was an infringement of his Sovereign rights. He (the Earl of Dunraven) did not suppose that if the Note had been read with that reservation, the Porte or any other Government could possibly suppose that Sovereign rights were infringed. But what he (the Earl of Dunraven) principally wanted to know was whether the reservation of the noble Earl, and its proper meaning and character, were incorporated in the Dual Note which was presented to the Khedive; and, if not, whether the reservation, and the meaning of it, was communicated to the Khedive at the same time that the Dual Note was presented? It appeared essential that the House should have some information on these points, because it was otherwise impossible to judge of the meaning of those Parliamentary Papers which had already been presented, and impossible also to judge of the motives and action of the Khedive and of the Sultan. The noble Earl concluded by asking the Question of which he had given Notice, EARL GRANVILLE: My Lords, it is a somewhat inconvenient course to pursue to give Notice of one Question and then to put another. With regard to the Question of which the noble Earl has given Notice, taking the interest that I know he does on this great and important subject, I think he has read all the Papers, and that it is from a slip of memory he is not aware that the Dual Note was included in the Papers presented to the House so long ago as the 7th of February last. With regard to the discussion he has raised, I really mean to adhere to what I have already stated, unless I am called upon by the House to do otherwise—namely, that, although individual Peers may think it right to make light of, and to invite a discussion of, this important question, it appears to me that the subject should be discussed as a whole, when I shall be prepared to defend the conduct of Her Majesty's Government both with regard to the Dual Note and the reservations, as well as the other points connected with these long negotiations.

THE MARQUESS OF SALISBURY: Are we to understand that the noble Earl declines, on this occasion, to state whether the reservation was communicated to the Khedive?

EARL GRANVILLE: I have not declined to do anything of the sort. The reservation was not communicated to the Khedive.

MERCHANT SHIPPING (COLONIAL INQUIRIES) BILL [H.L.]

A Bill to amend the Merchant Shipping Acts, 1854 to 1880, with respect to Colonial Courts of Inquiry—Was *presented* by The Earl of KIMBERLEY; read 1ª. (No. 164.)

House adjourned at a quarter before Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 26*th June*, 1882.

MINUTES.]—SUPPLY—*considered in Committee*—NAVY ESTIMATES; CIVIL SERVICE ESTIMATES, £1,617,250, further on account—CIVIL SERVICES, Class I.—PUBLIC WORKS AND BUILDINGS; Class II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS; Class III.—LAW AND JUSTICE; Class IV. — EDUCATION, SCIENCE, AND ART; Class V.—FOREIGN AND COLONIAL SERVICES; Class VI.—NON-EFFECTIVE AND CHARITABLE SERVICES; Class VII. —MISCELLANEOUS; REVENUE DEPARTMENTS.

PUBLIC BILLS — *Ordered* — Municipal Corporations (Borough Funds) *.

First Reading—Election of Representative Peers (Ireland) * [215].

Second Reading—Highway Rate and Expenditure * [209]; Public Health (Fruit-Pickers' Lodgings) * [214]; Copyhold Enfranchisement * [58], *discharged.*

Committee—Corn Returns (No. 2) * [193]—R.P.

Committee—Report—Petty Sessions (Ireland) * [203].

Report—Elementary Education Provisional Orders Confirmation (West Ham, &c.) * [196]; Local Government (Ireland) Provisional Order (No. 4) * [159].

QUESTIONS.

EGYPT—THE RIOTS AT ALEXANDRIA —ACTION OF THE BRITISH FLEET.

SIR R. ASSHETON CROSS asked the Under Secretary of State for Foreign Affairs, Whether the House could not have the further Papers upon the Egyptian Question at an earlier period than at present named?

SIR CHARLES W. DILKE: Sir, I am afraid it is quite impossible for the Government to make any promise. They are now under reference to Lord Lyons and Lord Dufferin, and, although every exertion will be made, I cannot give any assurance on the matter.

SIR H. DRUMMOND WOLFF asked the Secretary to the Admiralty, If he can state what steps were taken by Sir Beauchamp Seymour and Her Majesty's ships under his command on Sunday, the 11th of June, for the protection of British life and property at Alexandria; if he can state the dates of the arrivals at and departures from Alexandria of any of Her Majesty's vessels of war up to the present time since the 25th of September 1881, the date at which Sir E. Malet recommended

> "That one of Her Majesty's ships of war should be stationed at Alexandria during the winter,"

and the class, tonnage, and armament of such vessels; and, if he can state the periods since September 25th 1881, during which there has been no British vessel of war in the harbour of Alexandria?

Mr. CAMPBELL-BANNERMAN: Sir, we have received from Sir Beauchamp Seymour despatches relating to the occurrences of the 11th, and reporting the steps which he took on that day. The House will understand that in the present condition of affairs at Alexandria it is necessary to speak with the greatest reserve, and it would be contrary to the public interest to produce those despatches now; but they will, no doubt, be included in Papers to be laid before Parliament in due course. Unfortunately, owing to the sudden and unexpected nature of the outbreak, it was impossible to prevent the attack upon Mr. Cookson, and the other casualties which occurred soon after the commencement of the disorder. I must add that the conduct of Sir Beauchamp Seymour and of Captain Molyneux, of Her Majesty's ship *Invincible*, who took charge of the Consulate when Mr. Cookson was disabled, has received the entire approval of the Admiralty. In answer to the hon. Member's second Question, I have to say that the *Invincible* was at Alexandria on the 19th and 20th of October, the *Iris* from December 3 to January 5, and again from March 8 to March 26, and the *Bacchante* from the 5th to the 26th of March.

Sir H. DRUMMOND WOLFF: The hon. Member has not answered that portion of my Question which relates to the class, tonnage, and armament of the vessels.

Mr. CAMPBELL-BANNERMAN: The hon. Member can easily ascertain that information for himself. I do not think it is desirable that the Government should go into particulars of that character.

ARMY—CASE OF JAMES DOYLE, AN INSANE SOLDIER.

Mr. W. J. CORBET asked the Secretary of State for War, If it is true that James Doyle, an Irish soldier, was discharged from the Royal Artillery some weeks ago, he being at the time not of sound mind, and was sent, under the care of a Bombardier, from Plymouth to the county Wicklow, where, his friends having gone away, he was turned loose to shift for himself; whether he is aware that the unfortunate man was arrested by the police as a tramp, but was immediately liberated on receipt of a telegram from the Military authorities at Plymouth; whether he is aware that he has since been brought up before the magistrates at Newtown Petty Sessions, charged with breaking into an unoccupied house, and unlawfully making use of certain food he found there, and been sentenced to three months' imprisonment with hard labour; and, whether he can state why this man was not sent to the Military Asylum instead of being treated in the manner complained of?

Mr. CHILDERS: I find, Sir, that James Doyle enlisted in January last at Wicklow for the Royal Artillery. A few weeks after his enlistment he was found to be imbecile, and was discharged. He was taken to his native county by a non-commissioned officer, and handed over to his sister-in-law, who gave a receipt for the balance of his pay, about 15*s.* There is no permanent military asylum, and it is the uniform practice to send imbeciles to their parishes, whether discharged from their regiments or from Netley. The War Office has no knowledge of what became of the man after he was taken over by his relatives.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the case of James Doyle, a discharged artilleryman, as reported in the "Wicklow Newsletter" of the 17th instant, as follows:—

> "A Lunatic Burglar.
>
> "James Doyle, a discharged soldier, was brought up at Newtown Petty Sessions on remand, charged by Constable Moore with breaking into a house belonging to Mr. Keene, at Tiglin, in the occupation of John Reynolds, and unlawfully making use of certain food, &c. there on the 26th ult.
>
> "Prisoner (whose face wore a most vacant and stupid expression), in reply to a question by the Bench as to his motive for breaking into the house, said he was benighted, and had nowhere to stay. He went first to the house next door—there were a lot of them empty.
>
> "Constable Moore proved arresting the prisoner in the house. On searching him he found nothing but a piece of iron (produced).
>
> "Constable Nealy said the man was arrested about a month ago at Rathnew as a tramp. He then stated that he was from Plymouth, and had been in the Artillery, from which he had just received his discharge. The police communicated with the military authorities at Plymouth, from whom they received a telegram (handed in) stating that the prisoner had received his discharge, and had been sent home to Ireland in charge of a bombardier. On receipt of the telegram the man was liberated.
>
> "The Chairman said the prisoner would be sentenced to three months' hard labour as a vagrant;"

whether he will inquire into the matter with a view to having the sentence remitted, and the unfortunate man transferred to an asylum, or otherwise properly cared for; and, whether he will caution the magistrates to exercise more discretion in dealing with such cases in future?

Mr. TREVELYAN: Sir, I have obtained a report on this case, from which I find that the facts appear to be stated with substantial accuracy in the newspaper. Further inquiry is, however, necessary to determine whether or not the man is insane, and I have given the necessary directions for that purpose.

FISHERY PIERS (IRELAND)—CASE OF M'FADDEN—INJURY TO NETS.

Mr. O'DONNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it a fact that a poor fisherman named M'Fadden, in the county Donegal, has made several complaints to the Board of Works in Ireland, of the loss of a train of nets caused by stones being left in a fishing pool after the building of Gorthalia Pier, without any redress, and if he has any objection to lay upon the Table a Copy of any Letters received by the Board of Works on the subject, and of any replies given to such Letters; if it be a fact that this poor man has sustained such loss by reason of such works, or of the stones not being properly cleared away; and, if he will be compensated for such loss, or what steps have been taken by the Board of Works in the matter?

Mr. COURTNEY: Sir, six months after the works at the pier in question were finished, M'Fadden wrote to complain that his nets and those of other fishermen had been injured by stones lying at the bottom of the sea. The matter was then inquired into, and it was found that there were some loose stones in the place indicated, and these were at once removed. It is probable that they had been washed down by recent storms. But if they had been left there when the pier was being built, the fault was M'Fadden's own, as he was left in charge of that part of the works, with special injunctions to leave no rock spoil which could possibly do any damage. M'Fadden did not apply for compensation until April, and the case is not one in which it could be granted. I have examined the Correspondence, and do not think any useful purpose would be served by its presentation to Parliament; but the hon. Member can have access to it if he desires to peruse it.

POST OFFICE—RURAL LETTER-CARRIERS.

Mr. BIGGAR asked the Postmaster General, Is it a fact that a rule is made that disqualifies rural letter-carriers who have not been telegraph messengers from getting appointed as town letter-carriers, and if any appointment has been made in the General Post Office, Belfast, or about to be made, of men who held no appointment before (save telegraph messengers' appointments); and, if so, what is the reason that they are appointed in preference to rural letter-carriers holding appointments; and, whether he will recommend that all rural letter-carriers will get town appointments by the seniority of their appointments; and, if the rule is made, and cannot be rescinded, he will give those who have to suffer from the effects of it a yearly increase of salary by way of recompence for being so disqualified?

Mr. FAWCETT: Sir, there is no rule which disqualifies rural letter-carriers who have not been telegraph messengers from being appointed as town letter-carriers; but preference is given, and I think very properly, to town telegraph messengers, who have no other position to look to in which they can be permanently retained in the employment of the Post Office. On the other hand, the established rural letter-carriers to whom the hon. Member refers already hold appointments in the postal service, which, subject to good behaviour, are permanent. I do not think it would be desirable to cut off town telegraph messengers from all opportunity of getting on the establishment.

FISHERIES (IRELAND)—THE COAST AND RIVER FISHERIES TRUST.

Mr. LEAMY asked the Chief Secretary to the Lord Lieutenant of Ireland, as one of the trustees to aid coast fisheries in Ireland, If he would be good enough to cause a Return to be made of the names of the trustees; the dates of their elections; the number of meetings held by them during the years 1878, 1879, 1880, and 1881; the names of the trustees present at each meeting; and the amounts granted by loans to fishermen at each such meeting; the amount of charitable money originally handed over to the said trustees; the amount at the end of the year 1881 standing to their credit, and in what securities the amount was invested; the amounts lent by them in each of such years; and the amounts repaid to them by fishermen during such years?

Mr. TREVELYAN: Sir, in consequence of the Notice of the hon. Member, a meeting has been called of the Trustees to-morrow, to consider whether the information shall be made public or not. Until I know the result of the meeting, I cannot answer the hon. Member's Question.

POST OFFICE—MAIL SERVICE BETWEEN LONDONDERRY AND GLASGOW.

Sir THOMAS M'CLURE asked the Postmaster General, What prospect there is of the completion of arrangements for a direct Mail Service between the important towns of Londonderry and Glasgow?

Mr. FAWCETT: Sir, in reply to my hon. Friend, I regret to say that the Department has not yet been able to come to terms with the shipowners for the conveyance of mail-bags by the direct boats between Glasgow or Greenock and Londonderry. I shall be very glad if we are able to come to terms with the shipowners, in which case the service asked for would be established.

EGYPT (POLITICAL AFFAIRS)—THE CONFERENCE.

Mr. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether he can make any statement as to the proceedings of the Conference; whether the powers and the sittings of the Conference will be continued until its decisions have been carried into execution; and, whether any steps have been taken to guard the preponderance of England and France, in accordance with such public declarations as those of the late Foreign Minister of Austria-Hungary and of the Italian Ambassador that "the Austrian and Italian Governments had no political interests in Egypt?"

Sir CHARLES W. DILKE: Sir, it is not in the power of Her Majesty's Government to make any statement at present as to the proceedings of the Conference or its duration. They must depend on the course of events and the views of the Powers. Her Majesty's Government have no reason to suppose that there is any occasion to take steps for the purpose suggested in the second part of the hon. Member's Question.

PUBLIC HEALTH (METROPOLIS)—SMALL-POX.

Mr. J. G. TALBOT asked the President of the Local Government Board, Whether his attention has been called to a Report from the Managers of the Metropolitan Asylums District, from which it appears that a patient named John Tynn, who was admitted into the Stockwell Hospital on the 17th of May, stated "that he had attended at Guy's Hospital the same morning, and was told that he had smallpox;" whether it is true that the man came in a Clapham omnibus from London Bridge to Stockwell with the smallpox eruption fully out upon his face; and, whether, if this be true, he will communicate with the authorities of Guy's Hospital, with a view to prevent so reckless a neglect of ordinary precautions against the spread of infection?

Mr. DODSON: Sir, my attention has been called to the report made to the Managers of the Metropolitan Asylums District with respect to this case, and the Local Government Board are now in communication with the authorities of Guy's Hospital on the subject. There does not seem to be any question that the man went in a Clapham omnibus to the hospital; but how he came to be so conveyed I have not yet ascertained.

Mr. J. G. TALBOT gave Notice that another day he should ask the right Gentleman whether he could suggest any precautions that would prevent the repetition of such an act?

THE ROYAL IRISH CONSTABULARY—SUB-CONSTABLE MANNIX.

Mr. SYNAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on investigation of the charge of drunkenness on patrol, on the 17th March last, against Sub-Constable Mannix, of Loughill, in the county of

Limerick, County Inspector Henry found the charge to be substantially true, and whether he, in consequence, reduced to the ranks Constable Egan, who was the constable of said Sub-Constable Mannix on the occasion; whether that finding and order were subsequently set aside by the authorities in Dublin Castle, and upon what grounds; whether Mr. Thomas M'Namara, of Loughill, offered himself as a witness to prove said charge, but was not examined, and why his evidence was refused; whether Sub-Constable Kearney, upon whose report said investigation took place, has been dismissed from the service, and upon what grounds; and, whether any further steps will be taken to order a new investigation, and to examine Mr. M'Namara, and to have justice done to Sub-Constable Kearney?

Mr. TREVELYAN: Sub-Constable Kearney preferred a charge of drunkenness on patrol against Sub-Constable Mannix. The charge was investigated by a Court of Inquiry, who found the sub-constable not guilty, and completely exonerated him. County Inspector Henry had nothing to say to the case. He was not a member of the Court of Inquiry, and he did not make any report or inflict any punishment on Constable Egan in the case. Mr. M'Namara was not examined as a witness. It was known that his evidence was mere hearsay, and he was not even brought forward as a witness by the solicitor for Sub-Constable Kearney, who had preferred the charge. This was the second occasion on which this sub-constable had been found guilty, within a few months, of preferring false and scandalous charges against comrades, and for this he was dismissed. No further steps will be taken to order a new investigation.

INDIA—INDIAN CRIMINAL LAW CONSOLIDATION.

Mr. O'DONNELL asked the Secretary of State for India, Whether, in view of the changed condition of India since the commencement of the century, he will take advantage of the pending consolidation of the Indian Criminal Law to advise the Indian Legislative Council to pass a measure granting the right of a public trial to any native of India who has been imprisoned by the warrant of the Viceroy for more than twelve months, or whose property has been sequestrated for a similar period; and, whether he will also limit the power of issuing such warrants of imprisonment and sequestration of goods to the Governor General in Council alone?

The Marquess of HARTINGTON, in reply, said, there was at this moment no consolidation of the Indian Criminal Law pending. The Act 10 of 1882, which was an Act to consolidate and amend the Law relating to the Criminal Procedure, had already been passed by the Council of the Governor General of India, and received the assent of the Governor General on the 6th March last. The Act 8 of 1882, which was an Act to amend the Indian Penal Code, had also been passed, and received the assent of the Governor General on the 2nd March. As he (the Marquess of Hartington) stated the other day, warrants which were issued under special regulations could only be issued by the Governor General in Council. They were only issued on a very special reason of State policy, and entirely related to political matters. They were not used at all in the administration of the ordinary Criminal Law. He had not full and complete information on the subject; but, so far as he could ascertain, there were very few persons now detained under these special powers. It was necessary, naturally, after the Sepoy Mutiny, and at the time of the Wahaby Conspiracy, to exercise these powers to some extent as regards the Natives of India, but since that time he believed they had been very rarely applied to British subjects; and in the cases where they had been exercised, it was more frequently in regard to subjects of Native States who had made themselves liable to punishment for political offences, and who, if the Government of India had not dealt with them, would probably have been dealt with much more severely in their own States.

Mr. O'DONNELL asked whether the noble Marquess would have any objection to lay upon the Table a Return showing the number of Natives who had been arrested under these warrants and kept without trial?

The Marquess of HARTINGTON said, that the Home Government had no information on the subject, and he doubted very much whether the Indian

Government would deem it desirable to furnish the information asked for.

Mr. O'DONNELL asked whether the noble Marquess would make an application to the Indian Government on the subject?

The Marquess of HARTINGTON said, that he had already stated that he had made such an inquiry, and that he could not pledge himself as to what the answer of the Indian Government would be.

Mr. O'DONNELL asked whether the noble Marquess would have any objection to lay a Copy of the terms of his application upon the Table?

[No answer was given to the Question.]

CRIMINAL LAW — MISCARRIAGE OF JUSTICE—CASE OF CHARLES FROST.

Mr. MACFARLANE asked the Secretary of State for the Home Department, If it is true that Charles Frost has been twice convicted of crimes he has never committed, once in 1866, when he was sentenced to ten years' penal servitude, but was released after fifteen months, his innocence being established; and again in 1878, when his sentence was fifteen years, another "free pardon" being granted in 1880 upon the same grounds, viz., innocence; and, if he can state what compensation he proposes to grant to this unfortunate man?

Sir WILLIAM HARCOURT, in reply, said, that the case was still under consideration. As he had stated the other day, employment had been obtained for the man by the Government, but he had left it of his own accord.

Mr. MACFARLANE asked whether the information which influenced the Alderman in his observations when the man came before him, but which had not been made public, was furnished by the Home Office or by Scotland Yard?

Sir WILLIAM HARCOURT said, that he knew nothing about that.

Mr. MACFARLANE gave Notice that in a few days he would ask the right hon. Gentleman what decision had been arrived at in reference to this case.

POST OFFICE EMPLOYES—TELEGRAPH AND SORTING CLERKS.

Mr. STUART-WORTLEY asked the Postmaster General, Whether, under Section 7 of the scheme set forth in the Postmaster General's Letter to the Treasury of June 13th 1881 (Parliamentary Paper, No. 286, of Session 1881), for the improvement of the pay of Post Office telegraphists and sorting clerks, it was intended that overtime work on Sundays should be in all cases separately accounted and paid for; whether he approves of such a construction of that section as reckons Sunday overtime work in substitution of time not worked out on any of the other six days of the week; whether, under the said scheme, sorting clerks are properly required to do always fifty hours work per week without overtime pay, and without regard being had to the number of such hours that may fall upon the Sunday; whether it is the fact that, under the above construction of the scheme, sorting clerks are in some cases required to do as much as thirteen hours per month of Sunday duty, without receiving any payment for overtime; and, whether he will issue such instructions as will insure compliance with the real intentions of the scheme?

Mr. FAWCETT: Sir, a sorting clerk and telegraphist is liable for the performance of an average of two hours' duty on each Sunday, so that the attendance does not exceed eight hours in four consecutive Sundays, and a separate record is kept of this attendance. Including the two hours on Sunday, he must perform 50 hours' work a-week. I am not aware that this rule has been departed from in the manner implied by the hon. Member; but if he will give me any specific information about any individual case, I shall be glad to inquire into it.

BOARD OF WORKS (IRELAND) — MR. OWEN (THE ARCHITECT) AND THE IRISH CIVIL SERVICE BUILDING SOCIETY.

Mr. ARTHUR O'CONNOR asked the Secretary to the Treasury, Whether his attention has been directed to the following observations of Lord Crichton's Committee of 1878:—

> "We consider it a matter of regret that the Board of Works' architect, Mr. Owen, should, in spite of the Treasury Minute of 31st August 1846, hold the position of chairman of a Building Society. * * * It is in evidence the Government loans for cottages compete 'in a certain sense' with the operations of Building Societies. * * * We think, therefore, that, as private interests must be made subservient

to public interests, the architect should, even at a personal sacrifice, be required to withdraw from the direction of the Civil Service Building Society;"

whether Mr. Owen is still a director of the Irish Civil Service Permanent Building Society; and, what course the Treasury propose to adopt in the matter?

MR. COURTNEY: Sir, my attention has been called to this case by the Question of the hon. Member, and I find that Mr. Owen is still a Director of the Irish Civil Service Permanent Building Society. This is one of a class of cases which will require the early and careful consideration of the Government. It may be remembered that this subject was thought important enough to be examined into and considered by a Select Committee of the last Parliament, which, however, was prevented by the Dissolution of 1880 from arriving at conclusions upon it.

STATE OF IRELAND—THE AFFRAY AT BALLINA—THE BOY MELODY.

MR. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the manner in which the juries were empanelled in the case of the boy Melody, at Ballina, and the exclusion of jurors on religious and political grounds; if he can state what compensation the Government has given to the family of Melody, and the families of those who were wounded in the recent affray; and, whether he can now give the House an assurance that the services of Sub-Inspector Ball have been entirely dispensed with?

MR. TREVELYAN: My right hon. Friend the Attorney General for Ireland having had the depositions taken before the Coroner in this case under his consideration, has thought it right to direct the Crown Solicitor to have an application made to the magistrates to receive information against Sub-Inspector Ball for the manslaughter of Melody. Pending these proceedings the Government cannot move further in the matter.

PUBLIC HEALTH — VACCINATION — MEMORANDUM OF DR. SWEETING.

MR. J. G. TALBOT asked the President of the Local Government Board, Whether, in pursuance of an order of the Managers of the Metropolitan Asylum District, he has received from the managers a Copy of a Memorandum on Vaccination, by Dr. Sweeting, late medical superintendent of the Fulham Small Pox Hospital, addressed to the managers; and, whether, considering the importance of informing the public mind upon the subject, he has any objection to lay a Copy of this Memorandum upon the Table of the House?

MR. DODSON: Sir, a Copy of the Memorandum addressed by Dr. Sweeting to the Managers of the Metropolitan Asylum District has been received by the Local Government Board, and I quite agree with the hon. Member as to the importance of informing the public mind on the subject of vaccination. The Memorandum, however, is not even addressed to the Local Government Board, but to a local authority, and it would not be consistent with the ordinary practice of the Board to present such a document with a view to its being printed and circulated at the public expense.

PRISONS (IRELAND)—OMAGH GAOL—WIDOW OF CAPTAIN DISNEY.

MR. T. A. DICKSON asked the Chief Secretary to the Lord Lieutenant of Ireland, What provision the Government intend making for the widow of the late Captain Disney, Governor of Omagh Gaol, county Tyrone, who lost his life through the defective sanitary condition of that prison?

MR. TREVELYAN: I have just received a communication from the Treasury, which Department sanctions a gratuity to Captain Disney's widow to the amount of one year's salary—namely, £200.

MR. T. A. DICKSON said, that he regarded the compensation proposed to be given as so utterly inadequate that he should call the attention of the House to the matter when the Estimates came on for discussion.

PEACE PRESERVATION (IRELAND) ACT, 1881—ARMS' LICENCES.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that, after the passing of the Arms Act, the Hon. M. J. Ffrench, R.M., Cashel, called a meeting of the magistrates attending the Cashel Petty Sessions at a club-room known as the Rock Club, Cashel, at which he (the

Hon. M. Ffrench) issued to the justices there assembled a request that they should abstain from signing certificates for licence to have arms where demanded, thereby completely nullifying the fourth section of the Arms Act, and whether such request has been strictly adhered to, save in one case, where the signatory happened to be the sole absentee on the occasion referred to; whether it is a fact that, at a petty sessions held at Fethard, county Tipperary, on the 22nd of May, a magistrate sitting on the bench, Major Purcell, Rowan, applied for a gun licence for his brother-in-law, Charles Blackmoor, Esq., Montlestown Castle, a gentleman holding fee simple property over £400 per annum; whether the stipendiary magistrate, the Hon. Mr. Ffrench, asked if applicant had paid his rent; and whether, on being informed that Mr. Blackmoor had no rent to pay, the application was refused, on the grounds "that he (Mr. Ffrench) had heard that Mr. Blackmoor had attended Land League meetings;" whether it is true that a farmer, named John Quigley, tenant to Richard Pennefather Lloyd, county Roscommon, who holds property in the county Tipperary, applied for a gun licence at the Fethard Petty Sessions held on the 22nd May; whether, in a catechetical examination, which the Hon. M. J. Ffrench has adopted, it was elicited that the applicant had paid his rent, but, owing to an error of deducting the poor rates on the valuation and not on the rent paid, a trifling sum of three shillings and fourpence remained due; and, whether, until such trifling sum was paid, the stipendiary magistrate refused to grant a licence, notwithstanding that the tenant and landlord are on the most friendly terms, as appeared from the letter of the landlord to tenant, produced?

Mr. TREVELYAN; Sir, I have obtained a report from the Hon. Mr. Ffrench, the Resident Magistrate referred to in this Question, from which I find that there is no ground for the statement made in the first paragraph of it, as he called no such meeting of magistrates, either at the Rock Club or anywhere else. With regard to the second and third paragraphs, what appeared to have happened was that an informal application, written in pencil on a scrap of paper, was handed to Mr. Ffrench, asking for licences for Charles and John Blackmore. He knew of no such person as John Blackmore, but having made inquiry he issued licences to Charles and Henry Blackmore on the 19th instant. He has no recollection of having asked any question with regard to their rent. In reply to the remainder of the Question, it appears that he was applied to by John Quigley for an arms licence. He did make some inquiries from the applicant with regard to his rent, and finding that he owed his landlord a sum of 3*s.* 4*d.*, he advised him to pay it off at once, the amount was so small, and to come again for an arms licence. I will, however, refer to Dublin to see whether a different system cannot be adopted.

LAND LAW (IRELAND) ACT, 1881, CLAUSE 19—ADVANCES TO IRISH TENANT FARMERS.

Mr. VILLIERS-STUART asked the Financial Secretary to the Treasury. Whether the nineteenth Clause of the Land Law (Ireland) Act empowers the Board of Works to advance to tenant farmers sums of less than £100, for the purpose of enabling them to carry out the orders of the Land Commissioners and Sub-Commissioners relating to labourers' cottages and allotments; whether it is true that the Board of Works have hitherto omitted to avail themselves of the power thus given them under the Act; whether the difficulty experienced by tenant farmers in obtaining these loans has contributed to the failure of the nineteenth Clause; and, whether the Government will take such steps as will insure the Board of Works availing themselves of the power of granting small advances to tenant farmers for the purpose of carrying out the orders of the Commissioners and Sub-Commissioners under Clause 19?

Mr. COURTNEY: Sir, no difficulties have been thrown in the way of applications for loans under the 19th clause of the Land Act. Only seven have, however, as yet been received. In two of these it was not stated that the application was made under the order of Court, and they were therefore treated as coming under the 31st clause. When the error was detected a copy of the Court's order, as is necessary, was asked for in each case; and upon receipt of this the loans were sanctioned. In a third case the loan has been sanctioned, but the tenant now appears to wish to evade the necessity of building. In the four other cases, which have been received comparatively recently, the Court's order was sought for without loss of time; but in spite of reminders none of them have yet been received. In the meantime, however, the cases have been referred to the Inspectors for report.

EGYPT (POLITICAL AFFAIRS)—THE PROTOCOLE DESINTERESSEMENT.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether the statement made by M. de Freycinet in the French Chamber that—

> "The Powers have signed a self-denying Protocol whereby each Power debars itself from seeking in Egypt any territorial or other advantage apart from the other Powers,"

is correct; if so, whether this self-denying Protocol was proposed to the other Powers by Her Majesty's Government, as was the case with the Protocole de Désintéressement signed in 1880; whether the Protocol referred to by M. de Freycinet would, if signed by England, preclude Her Majesty's Government from opposing a proposal for the neutralization of the Canal, it being a part of Egyptian territory; and, whether the Protocoles de Désintéressement of 1840 and 1880, which have been cited by Her Majesty's Government as precedents for the Protocol now proposed, referred to questions in which Eengland was not specially concerned, as she is in the present case, owing to her predominant interest in the Suez Canal as her direct road to India?

Sir CHARLES W. DILKE: Sir, the Protocol was proposed jointly by England and France to the other Powers. There is nothing in the terms of it that would preclude Her Majesty's Government from opposing any such proposal as that suggested by the hon. Member if it were made. The hon. Member must form his own opinion as to the degree in which England was concerned in the questions referred to in the Protocols of 1840 and 1880.

Mr. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether the following information is correct:—

> "Ragheb Pacha has addressed a letter to the Italian Consul General, who is the senior member or doyen of the Consular body, inviting him and his colleagues who may happen to be 'interested' in the massacre of the 11th instant, to appoint their delegates on the Commission of Inquiry. Ragheb demands that these delegates be furnished with full, and not, as previously, with limited powers, necessitating constant references to their respective Governments?"

Sir CHARLES W. DILKE: Sir, we have not heard of this invitation being addressed by Ragheb Pasha to the Italian Consul General. The British Consular authorities in Egypt have been instructed, if such a Commission is constituted by Ragheb Pasha, to hold themselves aloof from it.

Mr. O'DONNELL asked the Under Secretary of State for Foreign Affairs, With reference to his statement that Her Majesty's Government have no control over the number or salaries of the Foreign officials employed in Egypt; and, whether Her Majesty's Government will raise any objection to a diminution of the number and reduction of the salaries of such Foreign officials by the Egyptian Government?

Sir CHARLES W. DILKE: I must decline to give any answer binding Her Majesty's Government on a supposed case which has not arisen.

Mr. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government would be bound by any decision of the Constantinople Conference which might be in conflict with the separate interest of Great Britain as distinguished from the interests of the other powers?

Sir CHARLES W. DILKE: Sir, I cannot make beforehand any declaration as to the course which Her Majesty's Government would pursue with regard to decisions which may or may not be arrived at by the Conference. The doctrine as to the majority of Powers binding the minority will be found in any ordinary text-book on International Law.

Mr. MAC IVER would, with the permission of the hon. Baronet, put the same Question in a different form—namely, Whether it was the intention of the Government to treat the interests of Great Britain as identical with those of France?

Sir CHARLES W. DILKE: I can not answer that Question without Notice, but even if Notice were given, I do not think it would be desirable to answer it.

Mr. PULESTON asked the Under Secretary of State for Foreign Affairs, Whether the expenses and outlays of the British Government incident to the present condition of Egypt would be chargeable to the Egyptian Treasury?

Sir CHARLES W. DILKE: I am not at present prepared to define the claims which Her Majesty's Government will have to make upon the Egyptian Government.

Mr. O'DONNELL asked whether the expenses and outlay of the Egyptian Government consequent upon the present policy of Her Majesty's Government would be borne by the British Treasury?

[No reply was given.]

CONTAGIOUS DISEASES (ANIMALS) ACT—SUPPOSED CASE OF PLEURO-PNEUMONIA AT PRESTON, SUSSEX.

Mr. MONTAGU SCOTT asked the Vice President of the Council, If his attention has been called to the exclusion, on Thursday the 22nd of June, of cattle from the Royal Counties Agricultural Show at Preston, near Brighton, on the ground of a supposed case of pleuro-pneumonia in the neighbourhood; and, whether it is a fact that Preston is, or is about to be, declared an infected district within the meaning of the Cattle Disease Prevention Act?

Mr. MUNDELLA: Sir, the Privy Council have no information as to the exclusion of cattle from the Royal Counties Agricultural Show at Preston, near Brighton, beyond what has appeared in the newspapers. The cattle appear to have been withdrawn by the Society or by the owners in consequence of the existence of pleuro-pneumonia in the borough of Brighton; but the Privy Council, having considered the question, decided there was nothing to justify them in stopping the show. The local authority have declared infected places, which include all the premises where the disease has appeared; but there has been no idea of declaring the parish of Preston an infected area. Representations against the holding of the show have been made; but we have refused to interfere, as there was nothing to warrant us in stopping the show.

IRELAND—PRISONERS DETAINED UNDER THE STATUTE 34 EDWARD III.

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Miss Hogan, Miss O'Neill, and Mrs. Hanlon are still imprisoned in Tralee Gaol under the Statute of Edward III.; whether there are any exceptional circumstances in their case that they have not been released with Father Feehan, Mrs. Moore, Miss O'Connor, Miss Kirk, and Mr. Abraham; whether it is true that there is no reception-room in the gaol, and that they are obliged to receive visits standing at the large iron gate of the prison, in the open air, and exposed to the inclemency of the weather, while the visitor stands about fifteen feet away, at another iron gate; whether the male convict prisoners do not frequently pass this gate to their work, and so interrupt the visit; whether the entrance of any visitor, prisoner, messenger, or warder to the gaol interrupts the visit; whether the Government proposes to remedy this state of things; and, whether it be true that, though those ladies have now been imprisoned two months, they have not been allowed to communicate with one another?

Mr. TREVELYAN: Sir, the three persons referred to in the first paragraph of this Question are still imprisoned in Tralee Gaol, in default of finding bail. There was nothing exceptional in their cases; but there was an appeal pending before the Queen's Bench when the other cases were considered by the Lord Lieutenant. The appeal has been dismissed, and the cases will now be considered by His Excellency. The Prisons Board is making inquiry into the allegations contained in the remainder of the Question.

AFRICA (SOUTH) — CETEWAYO, EX-KING OF ZULULAND—STATE OF HEALTH AND VISIT TO THIS COUNTRY.

Mr. W. FOWLER asked the Under Secretary of State for the Colonies, Whether it is true that intelligence has reached the Government to the effect that the health of Cetewayo is so much affected by his captivity that, unless he is speedily released, his life will be in serious danger; and, whether it is true that he is coming to England?

Mr. EVELYN ASHLEY: Sir, in reply to the first Question, I can only say that all the intelligence of that nature we have got is contained in the Blue Book already before the House. With regard to the second Question, it is perfectly true that Her Majesty's Government, after consultation with Sir

Henry Bulwer, have come to the conclusion that there is no longer any reason for postponing the promised visit of Cetewayo to England; and instructions have been sent to Sir Hercules Robinson to take the necessary steps, and to inform Cetewayo that this visit in no way commits the Government as to its future course.

SIR MICHAEL HICKS-BEACH: May I ask the hon. Gentleman whether any despatches on the subject will be presented, or how we shall know in what way and why Sir Henry Bulwer has changed his opinion?

MR. EVELYN ASHLEY: The communications are telegraphic, and I should think there would be no objection whatever to laying them on the Table.

SIR MICHAEL HICKS-BEACH: May I ask if Sir Henry Bulwer has changed his opinion?

MR. EVELYN ASHLEY: He has simply conveyed his concurrence to bringing Cetewayo to England. His detailed opinion is not before us.

COLONEL MAKINS: May I ask where the sable Monarch will reside when he is in this country?

[No reply was given to the Question.]

STATE OF IRELAND—THE LADIES' LAND LEAGUE.

SIR BALDWYN LEIGHTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following, published in the "New Ross Standard" of 17th June, purporting to be a resolution of the Ladies' Land League at Carrigbyrne:—

> "That we regret to learn that grass-grabbing still goes on in this district, and we are sorry to find so many men steeped in selfish slavishness at the present time as to take the grass of obnoxious landlords;
>
> "That we are sorry to record that a certain Wexford cattle dealer goes about in this district buying the cattle of grass-grabbers, and if we find that he comes out in this neighbourhood again, we shall be under the necessity of publishing his name;
>
> "List of grass grabbing snakes — John Corish, Pat Mullins, Joe Dalton, Foulksmills,"

and ten other names, with addresses; and, whether any steps are or will be taken, in consequence, with a view to restore industry and order in the district?

MR. TREVELYAN: Sir, the attention of Government has been given to the matters referred to in the Question of the hon. Baronet. Measures have been taken to protect life and property in the district. I am afraid that is all the Government can undertake to do.

THE IRISH LAND COMMISSION—APPEALS UNDER THE LAND ACT.

MR. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the fact that, in the appeal cases under the Land Act recently heard at Castlebar, the report of the official valuator was completely ignored by the Land Commissioners, who fixed the rents at a sum considerably lower than that recommended by him; whether he stated that in the large majority of these cases no improvements whatever were visible; whether great dissatisfaction on the part of the landowners exists in this district at the manner in which these appeals have been dealt with; and, whether he will lay upon the Table a Return of the appeals tried before the Land Commissioners up to the present date, specifying—(1) old rent; (2) judicial rent; (3) rent fixed by judicial valuator, stating whether he certifies that there are any improvements; and (4) appeal rent?

MR. TREVELYAN: Sir, the Irish Land Commissioners inform me that, in deciding on appeal cases at Castlebar, they gave their judgments on their own responsibility, after hearing the evidence and considering the reports of the valuer, and they must decline to enter further into the matter. They have no knowledge whatever of their decisions having given dissatisfaction. If the hon. Member wishes to move for a Return showing (1) the old rent of a holding, (2) the rent fixed by order of the Sub-Commission, and (3) the rent fixed by the Court of Appeal, I have no objection to letting him have it; but I cannot consent to give him the reports of the official valuers.

MR. DILLON asked if there would be any objection to include in the Return the two columns which, he believed, originally appeared in the one furnished to the Commissioners themselves containing the valuations of the tenants' and landlords' valuators respectively?

MR. TREVELYAN said, he could not promise that. Any question which had reference to the Land Commission must be referred to the Commission.

Mr. DILLON said, he would repeat his Question on Monday next.

LAW AND POLICE — THREATENING LETTERS—CASE OF MR. JOHN CUNNINGHAM.

Mr. O'CONNOR POWER asked the Secretary of State for the Home Department, Whether he is aware that on the 15th instant Mr. John Cunningham, of 17, Thornhill Square, Islington, was visited at his residence by three detectives from Scotland Yard, who charged him with being concerned in the sending of a threatening letter; whether he is aware that the charge against Mr. Cunningham proved utterly groundless; and, whether, having regard to the fact that Mr. Cunningham is an officer of Inland Revenue, and therefore liable to be injuriously affected by the unjust suspicion cast upon him, the Home Department will cause a full inquiry to be made into the matter?

Sir WILLIAM HARCOURT, in reply, said, that a threatening letter was sent to a person in Ireland which had been posted in London. Inquiries were made on the subject of the posting of the letter, and some detectives called on Mr. John Cunningham, but there was no charge brought against him. From the report he had received, it appeared that the whole matter was conducted considerately by the officers who called upon Mr. Cunningham, and nothing personally offensive was said or done to him. On the contrary, the parties were on such friendly terms that they shook hands when parting. As to his suffering for these inquiries, he had received a letter from the Inland Revenue Officers, who were the employers of Mr. Cunningham, assuring him that nothing of the kind occurred, as they believed he had nothing to do with the writing of the letter.

Mr. HEALY: Is it because Mr. Cunningham is a Government official that the detectives called upon him, or would they have called upon him if he were an ordinary member of the public? Has the introduction of the French system been sanctioned by the Home Secretary?

[No reply was given to this Question.]

NAVY—PENSIONS TO DOCKYARD WORKMEN.

Mr. PULESTON asked the Secretary to the Admiralty, Whether the question of increased retiring allowance to the hired workmen in Her Majesty's Dockyard can now be considered; whether he is aware of the disadvantages and hardships under which they labour under the present system by being too old to be placed on the Establishment and discharged at an age when unfitted for private employment; and, whether a more nearly equal basis with established workmen in the various branches of Her Majesty's Service cannot be adopted?

Mr. CAMPBELL-BANNERMAN: Sir, the question of retiring allowance or gratuity to hired workmen on discharge was considered in 1876, when a new and improved scale was adopted, and there is no present intention of reconsidering it. As to the comparative advantages of established and non-established men, it is, of course, a matter of opinion what constitutes a precise balance; but it is believed that those advantages are pretty fairly distributed at present.

STATE OF IRELAND—THE ORANGE ANNIVERSARIES.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, following upon a public appeal and resolution of the Land League in the month of June last year, the inhabitants of Ulster, on the occasions of the Orange anniversaries in July, conducted themselves in such a manner that no serious breach of the peace resulted from the celebration of the anniversaries; whether the Government apprehend any breaches of the peace next month in Ulster, in connection with the celebration of the Orange anniversaries; and, whether, the Land League being now suppressed, the Government mean to take any, and, if so, what, special steps to prevent the celebration of the Orange anniversaries from resulting in breaches of the peace and possible loss of life?

Lord ARTHUR HILL: Perhaps the right hon. Gentleman would also answer a Question of which I have given him private Notice. It is to the following effect:—Whether it is not the case that of late years, before the Land League was established, the July celebrations in the North have been celebrated with an entire absence of party and sectarian animosity?

MR. TREVELYAN: The Question of the hon. Member for Sligo (Mr. Sexton) only appeared on Saturday, and I have, consequently, had but little time to make inquiries; I believe, however, that the influence of the Land League was used in the direction indicated by the Question. In reply to the latter part of the Question, and to the noble Lord's Question, I may say that the Irish Executive, under both past and present Governments, have always taken care that a sufficient number of Resident Magistrates, with an adequate Constabulary force, should, on the occasions of these anniversaries, be on the spot to preserve the peace. The same course will be taken next month. Some serious breaches of the peace have, I think, occurred in connection with the celebrations even in late years.

IRELAND—PRISONERS DETAINED UNDER THE STATUTE 34 EDWARD III.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has yet been able to complete his inquiries into the operation of the Act of the 34th of Edward the Third in Ireland, and if he will state the names of the persons still imprisoned in virtue of that Act, and the gaols in which they are confined; and, whether the Executive intend to leave those persons in prison to complete the terms of their sentences, although others charged with like offences, and imprisoned under the authority of the same Statute, have been restored to freedom?

MR. TREVELYAN: I assume that the hon. Member limits his Question to the cases of persons in custody in connection with the land agitation. There are 10 such cases, and they are as follows:—Joseph M. Johnson, Dundalk Prison; Daniel O'Loughlin, Denis Hogan, John Macnamara, Galway Prison; John Beehan, Timothy Kett, Patrick Dunne, Limerick Prison; Margaret Hogan, Anne Hanlon, Bridget O'Neill, Tralee Prison.

MR. SEXTON: Would the right hon. Gentleman answer the latter part of the Question?

MR. TREVELYAN: I cannot give any general answer as to the course the Government intend to pursue in these cases. They will consider every case on its own merits.

MR. SEXTON: Have the Irish Government these cases under consideration?

MR. TREVELYAN: The Lord Lieutenant always has his attention taken up with the cases of the "suspects" as well as with the cases of persons confined under the Act of Edward III.

EGYPT—THE INTERNATIONAL COURTS —ALEXANDRIA WATERWORKS.

MR. MOLLOY asked the Under Secretary of State for Foreign Affairs, Whether the following statement, published by the "Times" newspaper, be true, viz.—

> "Two years ago Mr. Cotterill, consulting engineer of an irrigation company, was summoned before the International Tribunals by three Saidi fellaheen for an alleged debt. The verdict was in favour of the defendant, and the fellaheen were condemned in costs. Yesterday (the 22nd instant) they sought out Mr. Cotterill. and demanded payment of their claim, threatening him with death if he refused. They declined to leave his side, even mounting into his carriage. Mr. Cotterill went to the British Consulate;"

if, upon the advise of the British Consul, Mr. Cotterill has left the country; and, if the Government will take steps to support the authority of the International Court, and protect the property of British subjects; if he is aware that, within the last few days, the Governor of Alexandria informed an English gentleman that Arabi Pasha has threatened to seize hostages, including the persons of British subjects; and, if it be true that, in consequence of his threat, the engineers of the Alexandria Waterworks have left Egypt?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have no information as to the alleged legal proceedings against Mr. Cotterill, or of his having been advised to leave the country. In reply to an inquiry addressed to Sir Beauchamp Seymour, he has reported that Mr. Cotterill has gone to Naples, and that Mr. Cornish is at the Alexandria Waterworks, and intends remaining there. He adds that neither he nor Her Majesty's Consul is aware of any threat having been made to seize hostages.

Mr. J. LOWTHER: Can the hon. Baronet inform the House whether there is any truth in the statement generally circulated that Arabi Pasha has received a decoration from the Sultan?

Sir CHARLES W. DILKE: That does not arise out of the Question on the Paper; but, having made that protest, I may say it is the fact.

Mr. G. ELLIOT: I will ask a Question which does arise out of the Question on the Paper. Is it correct that Arabi Pasha has a list of European officials who will not be permitted to leave Egypt?

Sir CHARLES W. DILKE: I have already answered that portion of the Question. I stated that neither Sir Beauchamp Seymour nor Her Majesty's Consul is aware of any threat having been made to seize hostages.

ANCIENT MONUMENTS—CARE OF AND PRESERVATION.

Sir JOHN LUBBOCK asked the First Commissioner of Works, What steps Her Majesty's Government have taken to carry out the unanimous resolution of the House that, pending the passage "of a general measure dealing with the ancient monuments of the kingdom," and in order, as far as possible, to protect them from further injury, it is desirable that Her Majesty's Government should appoint one or more inspectors with authority to inspect and report upon such ancient monuments?

Mr. SHAW LEFEVRE: Sir, I may point out to my hon. Friend that I have introduced a measure on the subject of ancient monuments, and that one part of it will authorize the Government to appoint Inspectors. As the measure in no way interferes with the rights of owners without their consent, I was in hopes that it would not meet with opposition; but the right hon. Member for Whitehaven (Mr. Bentinck) gave Notice of opposition before the Bill was in the hands of Members. I am not without hopes that when he has read the Bill he will withdraw his block.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. PATRICK DUFFY.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Patrick Duffy, of Belmullet, county Mayo, has now been a year in custody under the Protection of Person and Property (Ireland) Act; and, whether there is anything in the condition of the Belmullet district, or in the case of Mr. Duffy, to prevent the Lord Lieutenant from now releasing him, after enduring the exceptionally prolonged term of a year's imprisonment?

Mr. TREVELYAN: Sir, this case is under the consideration of His Excellency the Lord Lieutenant.

THE CHANNEL TUNNEL SCHEME.

Mr. BROMLEY-DAVENPORT asked the Secretary of State for War, Whether any works in connection with the proposed Channel Tunnel are being still carried on?

Mr. CHAMBERLAIN: Sir, my right hon. Friend the Secretary for War has referred this Question to me. The facts of the case are as follows:—On April 1 last the Board of Trade wrote to the hon. Baronet the Member for Hythe (Sir Edward Watkin), the Chairman of the Submarine Continental Railway Company, calling upon him to discontinue the experimental works while inquiries were pending. On the 9th, the hon. Baronet appealed to me by telegraph to allow the works to proceed a short distance, as the stoppage would endanger life, and I sanctioned such works as might be necessary to prevent this danger, adding that I had appointed an Inspecting Officer to visit the works at once and arrange what works were necessary. This visit was, however, put off by the Company. Again, on May 3, the Company were informed that the Chief Inspecting Officer, accompanied by the Solicitor to the Board of Trade, had been directed to proceed to the spot and make themselves acquainted as to the position and progress of the operations. This visit was also put off by the hon. Baronet, as was one suggested by the Board of Trade for any day not later than the 10th of May. Subsequently, arrangements were made with the Company for the visit of inspection to take place on the 27th of May, and again on the 10th of June and on June 24. These appointments have, however, always been postponed before the day fixed, under one pretext or another; and I am now in consultation with the Law Officers of the Crown as to the steps that should be taken under the circumstances, in order to insure an inspection, without which it is impossible for me to answer the hon. Member's Question.

MR. MACFARLANE: Have the works been going on during these two months?

MR. CHAMBERLAIN: I am without any positive information on the subject.

POST OFFICE (IRELAND)—OPENING OF LETTERS.

MR. DILLON asked the Secretary of State for the Home Department, Whether letters are still being opened in the Irish Post Office; and, if so, what precautions are taken to insure that they are not opened by subordinate officials for curiosity or with a dishonest purpose?

SIR WILLIAM HARCOURT: The Irish Post Office is not under my control, and if it were, for the reasons I have already given to the House, I should not feel it my duty to give the hon. Member any information on the subject.

MR. DILLON: I put this Question to the Postmaster General a few days ago, and he referred me to the Home Secretary. If the Irish Post Office is not under the control of the Home Secretary, under whose control is it?

SIR WILLIAM HARCOURT: It is under the control of the Lord Lieutenant. The rest of the postal system of the United Kingdom is under the control of the Secretary of State; but whether the Question is asked with reference to the Irish Post Office or the English Post Office, the answer is the same. The Government would not feel justified in giving any answer to a Question of this kind.

MR. DILLON: I will put the Question to the Chief Secretary for Ireland on Thursday next.

EGYPT (POLITICAL AFFAIRS).

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, With regard to the Despatch (Egypt, No. 7) from Sir E. Malet to Lord Granville, dated Cairo, May 14th, in which Sir E. Malet informs his Lordship that—

> "His French colleague and himself think that the political advantage of the arrival of the combined squadron at Alexandria is so great as to override in consideration the danger which it might possibly cause to Europeans in Cairo;"

whether he can inform the House what was the political advantage referred to; and, whether that political advantage has been obtained?

SIR CHARLES W. DILKE: I must leave the hon. Member to form his own opinions.

MR. O'DONNELL: Sir, I think I have a right to receive at least a courteous answer, and if it is necessary for me to conclude with a Motion I will do so. This is a matter of very great importance and is capable of being answered in a straightforward manner. In the Papers laid on the Table it appears that Sir Edward Malet telegraphed to Lord Granville, saying that his French Colleague and himself thought that the political advantages of the arrival of the combined Squadrons at Alexandria would be so great as to override in consideration the danger which it might possibly cause to Europeans at Cairo. Now, I was under the impression, as I believe the House was, that the despatch of the Fleets to Alexandria was to protect life and property; but I find here the authorized Agent of England saying that, on the contrary, the protection of British life and property was of secondary consideration; that the political advantage that was visible to our Representatives, and also to the French Representatives, was so great as to induce our Representatives to concur in the plan of a combined expedition, even at risk to European life and property. Now, I do not want to draw unnecessary conclusions, but this is an official Paper which certainly requires explanation. I do not propose to raise any debate upon the answer of the Under Secretary for Foreign Affairs; but I am entitled—when the country is told that a political advantage was in view of such importance as to make the protection of life and property a secondary consideration—I am entitled to know what that political advantage was, and whether that political advantage has been obtained, or whether all that danger was brought on life and property without even obtaining the political advantage aimed at. The answers of the Under Secretary for Foreign Affairs are becoming shorter, as the memory of this House is becoming longer, and just at the very time when we are entitled to know something the Under Secretary for Foreign Affairs, who used to be very communicative, refuses to tell us anything. I should ask him now to give me an answer, even although it should turn out in a week or two that it would be no more correct than the generality of his answers have been down to the present. I beg to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. O'Donnell.*)

Sir CHARLES W. DILKE: I was going to say, when I heard the first portion of the hon. Member's remarks, that I intended my answer to be very courteous, and I am sorry if he thought it was not; but I certainly feel exonerated from making any apology by his reference towards the close of the accuracy or inaccuracy of my statements.

Mr. O'DONNELL: My reference was to inaccuracy of fact. I intended no imputation on the veracity of the hon. Baronet.

Sir CHARLES W. DILKE: I intended my answer as a means of showing that it was impossible to fully answer the Questions of the hon. Member. It would be utterly impossible for the Government to defend their Egyptian policy until they can defend it as a whole, with all the facts before the House, and I am perfectly convinced they will then receive the support of a majority of this House. The hon. Member complains that there has been a difference of opinion as to the objects for which the Fleet was despatched to Alexandria. Some time ago I used certain words in reply to a Question by the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), at the time of the despatch of the Fleet to Alexandria, and I can only refer the hon. Member to that statement as being a full description of the objects for which the Fleet was sent to Alexandria.

Mr. O'DONNELL begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

PARLIAMENT — BUSINESS OF THE HOUSE — THE PROCEDURE RESOLUTIONS.

Sir WILLIAM HART DYKE asked the First Lord of the Treasury, Whether, considering the importance of some of the Resolutions upon Procedure which succeed No. 1, Her Majesty's Government will consider the advisability of proceeding with them first, and postponing the further consideration of Resolution No. 1?

Mr. GLADSTONE: Sir, I am under the impression—indeed, I remember quite clearly—that I have answered this Question at a former period. My statement was that I believed it was unusual and would not be for the convenience of the House to take a discussion on particular Resolutions. The Government did not then see any reason for taking such a step, and I do not see any reason at the present time. But before we come to any possibility of discussing the Resolutions, I will take care to inform the House of the course which the Government intend to pursue.

TITHE RENT-CHARGE (IRELAND).

Mr. FITZ-PATRICK asked the First Lord of the Treasury, Whether, having regard to the facts that the tithe rent-charge was made a charge upon land by the Tithe Composition Act of 1838, and was supposed to be covered by the rent paid by the tenant, and to the further fact that, by the proposed Arrears Bill, the landlord will be obliged to forego one or more year's rent, on which the instalments payable to the Church Temporalities Commissioners (representing such tithe rent-charge) have been already paid, it is intended to make any allowance to the landlords for the loss which they will suffer by having paid these instalments upon rent which they have never received, and which they will now be forced to forgive.

Mr. GLADSTONE: Sir, I do not know what facts may be in the possession of the hon. Gentleman; but no facts have been brought before us in a shape to enable us to form any judgment upon the question. But I would venture to suggest that the hon. Member, if he is in communication with the parties concerned, should supply the Government with the exact particulars in order that Ministers may be enabled to give an official opinion on the subject.

EGYPT—THE SUEZ CANAL.

Baron HENRY DE WORMS asked the First Lord of the Treasury, Whether, with reference to the facility with which it is feared the Suez Canal could at any moment be destroyed from its banks, his attention has been drawn to a statement of Sir Garnet Wolseley, at a meeting of the Royal United Service Institution, that—

> "It would be the easiest matter in the world to stop the traffic on the Suez Canal; this might be done by barges, by one large torpedo, by dynamite, or powder, in certain positions well known to our Intelligence Department, thereby doing damage sufficient to stop the canal for a year:"—("India and her Neighbours," by Sir W. Andrew, p. 297);

whether, in view of an opinion emanating from so distinguished an officer, the presence of a gunboat at either end of the canal renders unnecessary the adoption of any precautions for the protection of its banks; and, whether he adheres to his statements in the "Nineteenth Century" for August 1877, with regard to the relative advantages of the routes to India viâ the Suez Canal and the Cape respectively.

MR. GLADSTONE: Sir, I have already read the opinions cited from Sir Garnet Wolseley, and I read them without any surprise. I am not aware that those opinions are in conflict with anything that I have said, either personally or on the part of the Government. With regard to the second part of the Question, that raises a large question, which it is not possible to answer. If the police of the Canal were in our hands the case might be different. But there is the Suez Canal Company, with the administration of which there are very intelligent persons connected with whom the Government have had no communication; and we have not heard of any alarm on the part of these persons. The opinion of Sir Garnet Wolseley is, therefore, rather an abstract opinion, and not having reference, as I understand it, to any impending contingency. The hon. Member also asks me whether I adhere to my statements in *The Nineteenth Century* for August, 1877, with regard to the relative advantages of the routes to India *viâ* the Suez Canal and the Cape respectively? As far as I can recollect them I do; but I hope the hon. Gentleman does not wish to impose upon me the penalty of reading all that I have written on this question.

BARON HENRY DE WORMS desired further to know whether the right hon. Gentleman was aware of the opinion expressed by Admiral Carr Glyn, who recently, at a public dinner, said that it was absolutely necessary to protect the Suez Canal, and that the only means of doing so was by sending a gunboat into the Canal?

MR. GLADSTONE: No, Sir; I was not aware of that opinion; but it appears to me the question opened up is a very large one, and I do not feel at all certain that the opinion expressed contains a solution of it. It would not, however, be desirable to go into the question at the present time.

PREVENTION OF CRIME (IRELAND) BILL—CLAUSE 1—MR. JUSTICE O'BRIEN.

MR. HEALY asked the First Lord of the Treasury, Whether the Government were put in possession of the views of Judge O'Brien as to the abolition of trial by jury before his appointment was made; and, if he can state whether or not his Lordship agrees with the rest of the other judges in protesting against the first Clause of the Crime Bill?

MR. GLADSTONE, in reply, said, the Government had no information as to the views held by Mr. Justice O'Brien on the subject referred to before his appointment was made, nor were they in possession of his opinion upon the question of the wisdom or unwisdom of the 1st clause of the Prevention of Crime (Ireland) Bill.

WAYS AND MEANS—RELIEF OF LOCAL TAXATION.

MR. E. W. HARCOURT asked the Chancellor of the Exchequer, Whether it is his intention to adhere to his promise, which was accepted in perfect good faith on the 24th of February last, to give relief to the ratepayers during the present Session of Parliament from the incidence of rates levied for the maintenance of main roads in England, irrespectively of all fugitive and evanescent legislation? The hon. Member said he really felt almost ashamed to ask the Question.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): And I may say, Sir, that I am almost ashamed to answer; but the hon. Member is always so courteous in his proceedings in this House that I wish to approach him in a friendly spirit. I presume that the hon. Member's mind, like the minds of many hon. Gentlemen, has been disturbed by rumours which have been circulated on this and other questions. The hon. Member moved at the beginning of this year a Resolution to the effect—

> "That, in the opinion of this House, some relief should be forthwith afforded to ratepayers from the present unjust incidence of highway rates appropriated for the maintenance of main roads in England;"

and, with the exception of the word "unjust," I accepted in substance the Resolution. At present, however, there has been no opportunity of discussing any practical proposal in reference to that subject. When the Finance of the year came to be examined it was quite plain that I did not possess the means of redeeming my pledge, and, therefore, the course which we were bound to take was to make a proposal to the House to place us in funds for the purpose. We have laid before the House that proposal, and the House will, no doubt, pronounce judgment upon it. We shall do our best to procure its adoption by the House, and thereupon to make an application of the money to the purpose for which it is intended.

SIR STAFFORD NORTHCOTE: Is it to be understood that the proposal respecting the Carriage Tax will be submitted to the House?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): Yes; certainly.

MR. E. W. HARCOURT asked whether the Chancellor of the Exchequer intended to adhere to the promise which he made on the 24th of February; and, whether the right hon. Gentleman had not stated that this proposal would be submitted to the House detached from any other subject which was likely to cause controversy?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): Sir, at the time when I accepted in its spirit the hon. Member's Resolution, the Government had before it the introduction of an important measure with regard to local government. I understood the hon. Gentleman—and I think rightly understood him—to ask that his proposal might not be made to depend on the good or ill-success of that measure, and I gave a promise that we would endeavour to detach it from any measure of the kind. When the hon. Gentleman asks me whether I intend to apply money which I do not possess, that is a question which, I think, answers itself. We shall do our best to place ourselves in funds for the purpose.

MR. E. W. HARCOURT said, he felt it his duty to give Notice that he would, on the first convenient opportunity, bring forward a Resolution on the subject.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): Sir, I may, perhaps, take this opportunity of saying that it will be for the convenience of the public if hon. Gentlemen who have given Notices of Motion on the second reading of the Tax Bill will kindly reserve their Motions until the Speaker leaves the Chair. The effect of that will be that after we have obtained the second reading we shall be able to pass the Bill through Committee *pro formâ*. There are some matters of great interest to the parties concerned, though not much known to the world at large, relating to the coffee and cocoa trade, and it is desirable that the provisions relating to them should be in the form in which it is intended to ask the House to pass them. It will be quite understood, however, that the fullest opportunity shall be afforded for full discussion on going into Committee.

PARLIAMENT — BUSINESS OF THE HOUSE—THE PROCEDURE RESOLUTIONS — LATE SITTINGS OF THE HOUSE.

MR. MAC IVER asked the First Lord of the Treasury, If he will, when the consideration of the Procedure Resolutions is resumed, make or entertain any proposal with a view to bringing the nightly labours of the House of Commons to a close within reasonable hours; and if at, or after, midnight there would be any practical objection to allowing such members as might think that any question had then been sufficiently debated, to give their votes by means of an instrument in writing personally delivered to some officer of the House appointed for that purpose?

MR. GLADSTONE: Sir, with regard to this Question, I am afraid there would be no advantage in entering upon a discussion of particular points connected with the Procedure Resolutions, at a time when we cannot give effect to any view we may entertain. I believe it will be for the convenience of the House that the whole of them should be reserved until the time approaches when we can conveniently discuss them.

EGYPT—THE ENGLISH FLEET AT ALEXANDRIA.

MR. MAC IVER said, with reference to a Question he had addressed earlier in the evening to the Secretary to the Admiralty, he desired to know, Whether it was not a fact that three of the ships which he named as being at Alexandria could hardly be described as fighting ships? He believed that the *Invincible* was an old-fashioned vessel, which was re-commissoned by the present Government. [*Cries of* "Order."]

MR. SPEAKER said, the Question now put by the hon. Member had no reference whatever to the Question he had previously asked.

MR. CAMPBELL-BANNERMAN: Sir, the hon. Member for Portsmouth (Sir H. Drummond Wolff) asked me to make a statement with regard to the visits paid to Alexandria by Her Majesty's ships of war. I stated the ships of war which have gone there, and that it was for the hon. Member, by referring to the Returns which are before the House, to find out what the character of those ships of war is. But I must say that on one or two occasions I have had the not altogether pleasant duty of saying that it is very undesirable at this moment, on public grounds, to state particulars of the vessels in those waters. The hon. Member for Birkenhead now asks me a Question without Notice, and in putting that Question he makes certain statements in regard to one of those vessels, and I can only say I do not think it is a very patriotic course to take.

MR. MAC IVER: I will move the adjournment of the House.

EGYPT (POLITICAL AFFAIRS)—BRITISH SUBJECTS IN EGYPT.

MR. G. W. ELLIOT: With reference to the answer given by the hon. Gentleman the Under Secretary of State for Foreign Affairs to the hon. Member for King's County (Mr. Molloy), I will, with leave of the House, read the following telegram, which I have received from Egypt, and will base a Question upon it:—

> "Anderson and Cornish afloat. They are included in the list of European officials not allowed by Arabi to leave the country."

I wish to ask whether the Government can give us any statement respecting this telegram?

SIR CHARLES W. DILKE: As I stated to-day, I think the hon. Gentleman must have misread the name in his telegram. I saw Mr. Easton to-day, and I gathered from him that Mr. Cornish is still at the waterworks at Alexandria.

MR. G. W. ELLIOT: Will the hon. Gentleman ascertain whether he has not been brought back after being afloat?

SIR CHARLES W. DILKE: What is the date of the telegram?

MR. G. W. ELLIOT: The 23rd.

SIR CHARLES W. DILKE: Our information is much later than that.

MR. G. W. ELLIOT gave Notice that he would, to-morrow, ask whether Mr. Cornish had been afloat with the intention of protecting his life, and whether he had not been brought back by the instructions of Arabi?

THE CHANNEL TUNNEL SCHEME.

MR. BROMLEY DAVENPORT asked whether the works in connection with the proposed Channel Tunnel were still being carried on?

MR. CHAMBERLAIN, in reply, said, that the works to which he referred were, of course, the experimental works, in anticipation of the works for the Tunnel, and not the works for the Tunnel itself. But, with regard to the state of those works, he had already stated that it was impossible for him to obtain positive information until he had been allowed to inspect them. Up to the present time he had not been able to get an opportunity of inspecting them amicably, and he was now in communication with the Law Officers of the Crown to see whether it was not possible to obtain an inspection in some other way.

MR. BROMLEY DAVENPORT said, he hoped that the right hon. Gentleman would lose no time in obtaining the information, amicably or otherwise.

MR. GREGORY asked whether the application to the Law Officers of the Crown did not refer to the stoppage of the works as well as to the inspection of them?

[No reply was given to this Question.]

PARLIAMENT—BUSINESS OF THE HOUSE.

MR. MAC IVER said, he rose to move the adjournment of the House, ["Oh, oh!"]

Mr. SPEAKER said, no doubt the hon. Member was aware that a Motion for the adjournment of the House had already been made that evening, and, by leave of the House, withdrawn.

Mr. MAC IVER said, he believed he was strictly in Order. His real purpose was to protest against the tone of the Secretary to the Admiralty. [*Cries of* "Order!" *and* "Name!"]

Mr. SPEAKER said, that if, after the intimation he had thought it his duty to make, the hon. Member still thought it right to move the adjournment of the House, he could not under the present Rules prevent it.

Mr. MAC IVER said, he meant to conclude with that Motion, and he considered that he was justified in making it, in consequence of the remarks of the Secretary to the Admiralty. He felt bound to complain of the tone in which the Secretary to the Admiralty had answered his Question. He (Mr. Mac Iver) knew Alexandria. ["Divide!"] He knew the ships. So did everybody in Egypt whose interests could be affected. It was only in the House of Commons that absolute ignorance prevailed. As to asking for information which it would not be right to give—["Agreed!"]—he should never be so unpatriotic as to do anything of the kind. He asked that in future, when Members of the Government thought it right in their discretion to refuse to answer a Question on the ground that it would be inconsistent with the public interest to answer it, they should say so in plain yet courteous terms; but he also wished to press on the Government that when they assumed to answer Questions their answers should be correct, and not calculated to mislead. ["Order!"] He, in common with many, had much to complain of as to the mode of answering Questions. ["Order!"] He would be the last, in a crisis like this, to wish to embarrass Members of the Government; but it was quite a different thing when they assumed to reply, and yet did not want to give answers that would be unpleasant to the House. He had personal grounds for complaint, as the hon. Gentleman had charged him with being unpatriotic. Who were they that were unpatriotic? ["Order!"] The Government had no real purpose to serve in sending ships to Alexandria—["Order!"]—other than a wish to make an appearance of doing something by way of gaining time, in the hope that something might occur in the interval—["Order!"]—whereby it might become unnecessary to act. ["Order!"] In consequence of the interruptions, he had detained the House longer than he had intended—["No, no!"]—and he begged now to move that the House do now adjourn.

Mr. NEWDEGATE, in seconding the Motion, said, that he was one of those who considered that the practice of putting mere Questions in the House was running into great abuse. The House placed itself unduly in the hands of Members who put Questions, because these Questions, though put in the presence of the House, were beyond the control of the House, and could not legitimately be debated, however important or insulting to the House these Questions might be. At the same time, as long as the House thought fit to permit the system of Questions which were beyond its control, he expressed a hope that, in replying to those Questions, Ministers would abstain from casting personal reflections on the Members who put them. Her Majesty's Ministers had an ample resource in refusing to answer impertinent Questions, or Questions put on inopportune occasions. It was competent for Ministers to decline to answer; but it was beyond their functions and disrespectful to the House to assign reasons, particularly if they were personal to the Member who had asked the Question. Her Majesty's Ministers could, and ought simply to decline to answer Questions which they considered irrelevant or inopportune.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Mac Iver.*)

Mr. HEALY said, he desired to point out that the hon. Member for North Warwickshire (Mr. Newdegate) was following the noble example of the Home Secretary, who, when asked a Question, always refused to answer when he could possibly do so.

Question put, and *negatived.*

ARMY—PREPARATIONS AT PORTSMOUTH AND CHATHAM.

Sir WILFRID LAWSON asked the Secretary of State for War, Whether he was able to confirm or to contradict the statement which appeared in some of that day's newspapers—namely, that troopships were being rapidly got ready at Portsmouth and Chatham; and, if that was so, whether he would tell the House what was their destination? [*Cries of* "No!"]

MR. CHILDERS: Sir, in ordinary circumstances I should have requested that a Question of this kind should be put to me with Notice; but I think I shall have the approval of the House when I say that that is not a Question which, if put to any Member of the Government, he ought to answer.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE DEFERRED.

Motion made, and Question proposed, "That the Committee on the Prevention of Crime (Ireland) Bill be deferred till To-morrow, at Two of the clock."—(*Lord Richard Grosvenor.*)

MR. HEALY asked whether the Bill could be thus postponed without first rescinding the Resolution giving it priority?

MR. SPEAKER said, there was nothing to prevent the House from postponing that Order if it thought proper.

MR. HEALY said, the Order of the Day was that the Prevention of Crime Bill should be taken unless the House otherwise ordered.

MR. SPEAKER pointed out that the postponement of the Orders of the Day could be carried out with the concurrence of the House.

Question put, and *agreed to.*

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POSTAL TELEGRAPH SERVICE.

RESOLUTION.

DR. CAMERON, in rising to move the following Amendment;—

> "That the working of the Postal Telegraph Service, with a view to the realisation of profit, involves a Tax upon the use of Telegrams; that any such Tax is inexpedient, and that the profit derived from the service is now such that the charges for Inland Telegrams should be reduced,"

said, that, under ordinary circumstances, he should have felt considerable hesitation in proceeding with this Notice on the Paper, inasmuch as he was aware there were many questions of more urgency. If he thought it would in any way facilitate the despatch of Government Business, he would readily postpone his Amendment; but there were so many other Notices standing in the way of Supply, that if he gave way others would occupy the time. They ranged over a variety of topics, and it appeared to him that the House would be better occupied in the discussion of this practical question; moreover, it might prevent an inopportune discussion on the affairs of Egypt which some hon. Gentleman wished to bring on. He intended his remarks to be brief, and in asking for cheap telegrams he should treat it simply as a question of political economy. He should rely upon axioms which the Postmaster General had himself laid down about two years ago. A deputation from the Society of Arts waited upon the right hon. Gentleman to urge the adoption of a cheaper charge for inland telegrams; and they naturally referred to the recommendations of the Select Committee of 1876, and pointed to the various anomalies connected with the present rate. Whilst the minimum charge for an inland telegram was 1*s.* for 20 words, in foreign telegrams the word rate was adopted. A telegram could be sent to France or Belgium for 2½*d.* per word, so that it was possible to send a telegram to either of those countries for a less sum than was charged for a message from one part of London to another. They pointed out also that, previous to the assumption of the telegraph system by the Government, 6*d.* telegrams existed in London; and although he did not lay special stress upon that point, and though he was perfectly aware that concurrently with the increase of charge great advantages had been given to the public in London, that was a fact which should not be lost sight of. The deputation also referred to the advantages in connection with telegraphy in Continental capitals, where by means of pneumatic tubes written messages, unlimited as to the number of words, were sent for half a franc. A noted statistician on the deputation entered into a calculation as to the amount of loss the Post Office would incur by reducing the charge for telegrams. He urged that the loss of revenue would be very slight; and what he said was borne out by the Report of the Select Committee, which stated that the way to increase the income was to reduce the charge at the proper time. However, the deputation did not venture to recommend in detail what the Post Office should do, and neither would he (Dr. Cameron) do so. In a lengthy reply to the deputation, the Postmaster General laid down two important principles, upon which he (Dr. Cameron) now based his case. They were—First, that if the price charged for a telegram was not sufficient to make it commercially remunerative, the deficit must be made good out of the general taxes of the country. The general taxpayers must be fined in order to enable telegrams to be forwarded under market price. Secondly, if the price charged was more than sufficient to make the Service commercially remunerative, then the difference was really so much taxation imposed upon telegrams, as much as if the tax-gatherer stood over the sender of the telegram, and levied upon him a tax at the moment it was sent. Having stated these principles, the Postmaster General went on to explain the financial position in which the Post Office stood with relation to the Telegraph Service. The right hon. Gentleman started from the year 1876, when the Committee on Postal Telegrams reported, and when Mr. R. Blackwood, one of the chief officers of the Department, introduced an important improvement in the shape of a balance-sheet, drawn up in a commercial form, and setting out the amount which, if the State telegraphs were an ordinary commercial undertaking, they would pay. For the year ended March 31, 1876, after making provision for everything that could properly be charged against revenue, there was a net profit on the Telegraph Service of £197,000, or what would have sufficed to pay a dividend of 2 per cent on the capital invested. In 1880, according to the financial statement of the right hon. Gentleman the Postmaster General, the net profit had risen to £354,000, or 3½ per cent; and in 1881, according to a recent Return, the net profit was £440,000. In the five years between 1876 and 1881, the profit had increased by £243,000, or about £50,000 per annum; and if, as he saw no reason to doubt, the same rate was maintained up to the close of the current year, there would be a net profit of £540,000, which, after paying 3 per cent upon the capital invested, would leave £220,000 to the good. It was against the confiscation of that amount to general purposes of taxation that he protested. He was aware that last year a reorganization scheme was adopted, the cost of which, so far as the telegraphs were concerned, was to commence at £38,000 a-year; but even deducting that, there was still a net profit of £180,000, and, applying the dictum of the Postmaster General to that amount, it must be regarded as £180,000 of taxation upon telegrams. The right hon. Gentleman very properly said that it was not for his Department to determine how taxation could best be raised—that was a question for the Treasury; but if the Treasury were willing to allow him to act as he thought proper, he had a plan cut and dried which would be a great boon to the telegraphing public, and would do away with this abuse of levying taxation upon telegrams. The plan which the Postmaster General proposed was a 6*d.* telegram for 12 words, with a ½*d.* word rate for all additional words. Various other suggestions had been made; but that was the proposal which the Post Office had considered seriously. They had done so for this reason, that a word rate had been adopted in other countries. The word rate, as adopted in Belgium, had many advantages, one of which was that the charge made by the Department was exactly proportionate to the work done, and that it freed the Post Office from a large amount of unremunerative business. Under the present system in this country many people unnecessarily extended their telegrams, especially in the addresses, which were not charged for. The Postmaster General had informed the deputation that waited upon him that he had seriously considered this matter, and had instructed Mr. Patey, one of the ablest and most trusted officers in the Post Office, to enter into calculations and prepare a scheme. Having made the calculations, Mr. Patey had arrived at the conclusion that the adoption of a 6*d.* rate would involve an immediate reduction in the net revenue by the amount of £167,000 per annum. This calculation the Postmaster General told them had been made with great caution and with great skill. Many specialists considered this estimate of loss too great; but he (Dr. Cameron) proposed to take the official figures. He had shown that by the end of the year the clear revenue from the Telegraph Service—after allowing for all expenses, and 3½ per cent for all the capital involved—would be about £180,000; and he maintained that the time had now arrived when, with that revenue, they could try an experiment which would be of the greatest convenience and service to the commercial community, and which would involve a loss of only £167,000; so that there would still be a margin of profit. Whenever the plan of 6*d.* telegrams was adopted, whatever might be the immediate effect on the revenue, the business would progress at a rate hitherto unknown. For a year or two there would be a certain loss of profits; but in a short time the Service would have so extended itself, and the use of telegrams would have become so general, that the Post Office would be amply recouped. As to the abstract question of putting a tax on telegrams, he did not think that there could be a second opinion; and at the present moment, when they were just on the turning-point, when the sum in the shape of profit was not so great as to constitute an irresistible temptation to officials connected with the Treasury, they had arrived at the best possible time for considering the matter. He claimed that there was nothing on which £167,000 could be better expended than on the introduction of 6*d.* telegrams; but this was a case where the net profits more than represented that sum. A tax on telegrams was a direct tax on intercourse and commerce, and was calculated more than any other tax to check the general development of business throughout the country. He therefore asked the House to pronounce that tax inexpedient, and to affirm his Resolution, so as to allow the Post Office to introduce a reform for which it had made every preparation, and which the Postmaster General had informed the public he could carry out with the most perfect certainty of success, and which could be carried out without, he believed, the necessity for any legislation in that House. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

MR. MONK said, he had great pleasure in seconding the Resolution. On several occasions within the past few months he had been in communication with the right hon. Gentleman with regard to a reduction in the rate, not only of inland, but also of foreign telegrams; and the replies of the right hon. Gentleman had, on the whole, been of a very encouraging nature. The subject was one in which the various Chambers of Commerce throughout the country had taken a very great interest, and it was felt that a reduction in the cost of telegrams would be a very great boon to the commercial community. In these circumstances, he hoped that no great opposition would be offered by Her Majesty's Government to a proposal for an early reduction in the charge for telegrams, if not to 6*d.*, at least to 9*d.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the working of the Postal Telegraph Service with a view to the realisation of profit involves a Tax upon the use of Telegrams; that any such Tax is inexpedient, and that the profit derived from the service is now such that the charges for Inland Telegrams should be reduced,"—(*Dr. Cameron,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. FAWCETT said, he would endeavour to deal very frankly with this very important question. He fully admitted that the arguments in favour of a reduction in the charge for telegrams were very strong. It was undoubtedly the case at the present time that, under the international rates which had been lately settled, it was possible to send a short telegram from any part of England to any part of Belgium, or from any part of the United Kingdom to any part of France, at a less cost than was incurred in sending a telegraphic message from one part of London or of Liverpool to the other. The reason for that was that, under the special rate agreed upon between England and Belgium, telegraphic messages were sent at the rate of 2*d.* a word, and under that agreed upon between England and France they were sent at the rate of 2½*d.* a word. If the address was registered, it was not unusual for a telegram sent under those scales to consist of an address of three words and a single word, such as "better," "come," or "worse," and such a message could be sent from the extreme North of Scotland to a remote corner of Belgium for 8*d.*, and to any part of France for 10*d.* He was also free to confess that, in view of the number of telegraph stations in the United Kingdom, which, at the present time, amounts to between 5,000 and 6,000, the number of messages sent was not as large as might have been expected. He had caused a calculation to be made, and he found, excluding Press telegrams and foreign telegrams, that the number of inland telegrams sent each year was about 25,000,000. That gave a weekly average of about 480,000, and a daily average of about 80,000. Considering that there were 5,000 stations, he did not think that 80,000 was a large amount per day, and there was no other conclusion to arrive at than that the present 1*s.* charge was virtually prohibitory, not only to the working classes, but to many of the middle classes also. He hoped the House would think that he had stated the case in favour of a reduction in the price of telegrams clearly and unreservedly. He was further prepared to admit that if the price of telegrams were reduced, there would probably be a large increase in the amount of business. But his hon. Friend had thrown out a suggestion with which he could not quite agree, that if they had not money enough to bear the implied loss at once, which the reduction in price would involve, they should do it by bits. The hon. Member, he understood, would approve of a reduction being confined to certain local districts, and they should continue the 1*s.* telegram for long distances, and have the 6*d.* telegram for local districts. He could not help thinking that it would be a most serious thing if they were to impinge upon the great principle which regulated Post Office administration—namely, uniformity of charge independent of distance. There was a simplicity and advantage about this uniformity which ought not to be lightly sacrificed. Another suggestion was sometimes made. In France, and, he believed, in other Continental countries, they had what was known as a system of express telegrams. By payment of an extra fee they could have a telegram "expressed," and sent on before the telegrams which did not pay this extra fee; consequently, all the more important telegrams in France, or, at any rate, a great number of them, were made "express" by the payment of the extra fee, and the price of the important telegrams thus came to be nearly as high as telegrams were in England. As regarded that system, he could only say that as long as he had anything to do with the administration of the Post Office he would strenuously oppose its introduction. He attributed as much importance to this as he did to the maintenance of uniformity of charge; and it seemed to him if they once gave to the person to whom an extra sixpence or shilling would be of no consequence the privilege of having his telegrams sent on before the telegrams of the poor man, they would spread far and wide the sense of partiality and unfairness—and nothing could be more undesirable. Therefore, he hoped they should always maintain the principle of uniformity, and the principle that telegrams were to be sent strictly in the order in which they were received, whether they were handed in by rich or poor. Although he was perfectly willing to agree to many of the abstract principles laid down by his hon. Friend, unfortunately he could not accept the Motion as it stood, because it was based upon facts which he greatly regretted to say did not exist at the present time. He agreed that any profit beyond what was necessary for the maintenance of the charges connected with the Telegraph Service, including interest on the outlay involved in their purchase, must be regarded as taxation; and when the day came when they secured this profit, it would be a question eminently deserving the consideration of the Chancellor of the Exchequer whether a tax on telegrams was a desirable means of obtaining revenue, especially when taxation involved the maintenance of so exceptionally high a rate per telegram as 1*s.* But his hon. Friend had assumed that, at the present time, a profit was being made beyond the amount necessary to defray the expenses and meet the outlay on capital. It would be his painful duty to show that the conclusion at which his hon. Friend had arrived was not applicable to the present state of things. So far as the hon. Member's figures were actual figures they were strictly correct. From figures which were in the hon. Member's possession the hon. Member drew a certain conclusion. The hon. Member, dealing with the telegraph revenue on commercial principles, said it had shown a regular growth since 1876 up to the year 1880-1, when telegraph revenue was £440,000, the usual increase in the previous four years having been at the rate of about 20 per cent. The hon. Member said, that being the case, the same growth must necessarily be shown in 1881-2, when the telegraph revenue would have risen to £520,000. On that assumption the hon. Member arrived at the gratifying conclusion that it would be possible to introduce the 6*d.* telegram and still leave a telegraph surplus. No doubt this would be so if the telegraph revenue in 1881-2 was £520,000; but the fact was that, in 1881-2, not only had there been no increase of revenue, but it was estimated there would be a considerable diminution. If hon. Members should express any surprise as to the cause of this decrease of revenue, they would soon discover that the explanation was to be found, which seemed to be frequently forgotten, and it was that it was impossible to create wealth out of nothing. If they spent more public money in any way whatever, whether in increasing the pay of public servants or in any other way, that public money must come out of some source, while proportionately diminishing the revenue from which it was taken. The House would remember how, last Session, he was pressed by hon. Members on both sides of the House to increase the pay of the telegraph *employés*. He was sometimes described as being very dilatory, and at other times as being very hard-hearted. He looked into the subject very carefully, and the House would now appreciate the importance of looking into it carefully, because not only was it a serious thing to spend public money unnecessarily, but he knew, at the same time, that the amount of money that might be decided as necessary to give to the telegraph *employés* would have an important effect in determining the time when this great boon to the public of a reduction in the price of telegrams could be introduced. Well, after giving the matter careful consideration, he came to the conclusion, in order to satisfy the just and reasonable claims of the telegraph *employés*, certain changes were necessary, and that those would cost during the present year at least £80,000. This £80,000 had to be provided somewhere; it represented so much more added to the expense of carrying on the Telegraph Service. It swept away the whole of the increase in the telegraph revenue which his hon. Friend calculated on, and it landed them in this result—that whereas in 1880-1 they had a net revenue of £440,000, the net telegraph revenue of 1881-2, instead of being £520,000, would not, it was estimated, be anything more than £400,000. No one could doubt that what was done last year to improve the position of the telegraph *employés* had placed the financial position of the Telegraph Service in a very different light. He thought it was well to state this, because, in spite of all that was done for the telegraph *employés*, he noticed they were constantly holding meetings, and they were constantly saying that what they received was worse than nothing. All he could say was that if £80,000 a-year out of the public funds was worse than nothing, he, for one, deeply regretted that that sacrifice of public money was ever made. Well, it appeared that the telegraph revenue of 1881-2 would be about £400,000. The estimated financial effect of reducing the price of telegrams to a minimum charge of 6*d.* would be to diminish the net revenue by about £177,000. He was prepared to stand to that estimate, with the slight addition which had been rendered necessary in consequence of the increased expense of carrying on the Service. Those were the figures he had previously given, and he was prepared to abide by them. He would show the House how that sum was arrived at. The average amount now received from each telegram was 1*s.* 0½*d.* The cost was about 9*d.* The profit was thus about 3½*d.*; and 25,000,000 telegrams at 3½*d.* amounted to £364,000. The gentleman who was at the head of the Telegraphic Department of the Post Office had informed him that if telegrams were reduced to ½*d.* per word, with a minimum charge of 6*d.*, each telegram would be charged, on the average, 10*d*., and the cost would be 8½*d*. This gentleman had calculated that there would probably be 30,000,000 of telegrams instead of 25,000,000. Each telegram would then bring a profit of 1½*d*., and the net revenue would be £187,000, showing an immediate net loss of £177,000. On the other hand, he was bound to admit that there were many high authorities who did not estimate that the loss would be so great as he had just said. But it was extremely difficult to foresee what would be the number of telegrams sent under the 6*d*. rate, and it was also extremely difficult to see what would be the average amount received on each telegram sent. It was well to remember that the greatest of all postal reforms—the introduction of the penny postage—was not, in its first results, by any means a financial success. Experienced officials had carefully looked into the question and informed him that it was more than 16 years after the introduction of the penny postage before the revenue reached its former amount. Great, therefore, as might be the after financial results, and the advantage conferred immediately upon the public, it by no means followed that loss would not be incurred by the adoption of such a reform as was advocated by his hon. Friend. The result arrived at was that the revenue from inland messages would be reduced by £177,000. If the present net revenue was taken at £400,000, the future revenue would be £223,000. The capital expended in the Telegraphic Service was about £10,500,000. Interest on that sum at 3 per cent would be about £320,000. Thus, instead of the telegraph bringing large profits, as his hon. Friend had said, there would be a deficit of £100,000. Besides, he had taken the interest at the lowest amount—3 per cent. But the result would be still less satisfactory if the interest were reckoned at 3½ per cent. It was, however, desirable to state that, although that would be the immediate financial result, he believed that with 6*d*. telegrams the Revenue would steadily improve. Mr. Patey, the head of the Telegraph Department, had come to the conclusion that at the end of four years the revenue from the telegraphs would have regained its present position. The question, therefore, to be considered by the Chancellor of the Exchequer, that House, and the country was, whether, for the sake of the great advantages which he believed would result to the community from the lowering of the price of telegrams, it was worth while to sacrifice for the first year £177,000, for the second year it might be £140,000, the third year perhaps £100,000, and at the end of the fourth year, perhaps nothing at all. He hoped he had stated the case fairly. It was often asked by the public Press and by Chambers of Commerce why the Postmaster General did not introduce 6*d*. telegrams? His asnwer was—"Where is the money to come from?" On the other hand, he was often asked to raise the wages of telegraph *employés*. But he would ask hon. Members to remember that they could not eat their cake and have it. He could only say that the best way for hon. Members on both sides of the House to bring about 6*d*. telegrams was to strengthen the hands of the Government in carrying out a policy of economy. As for himself, nothing would give him greater pleasure than to receive a message from the Chancellor of the Exchequer that the finances of the country were in a condition to admit of the change proposed. He hoped that his hon. Friend, after this explanation, would withdraw his Resolution.

MR. R. BIDDULPH MARTIN said, he hoped that the Government would take into account the important bearing upon the question of telephonic communication, which in large towns was tending to supersede the telegraph.

DR. CAMERON said, that if the Chancellor of the Exchequer would give some assurance in support of the abstract principle of the inexpediency of taxing telegrams, he should be happy to withdraw the Amendment. Otherwise he should go to a division.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): Sir, I think the statement of my right hon. Friend was a very complete, a very clear, and a very ingenious statement, and it indicated no bias on his part adverse to the principle of the reduction of the price of telegrams. He laid down a principle which was, I think, very liberally stated by him in favour of the general views of my hon. Friend (Dr. Cameron). He stated that, as soon as the net revenue of the telegraphic system reached a point at which it met the interest on the expenditure, he was disposed to view every excess above that as taxation upon telegrams. I do not feel quite certain that I could go quite so far with respect to the settlement of the point at which money from telegrams would become available for the reduction of the price; but, undoubtedly, whatever the point may be, I am very much disposed to admit that no remission of taxation has been more advantageous to the public than the remission of taxation upon telegraphic communication. When we have reached the point when the telegraphic system shows the funds to be disposed of, or when, it may be, the country shows a Revenue in a state so active and so flourishing that there are considerable funds to be disposed of, in my opinion the question of the charge upon telegrams will have a very fair claim indeed for consideration and comparison with other claims. That, I think, is all that can be justly said at the present moment, and I hope my hon. Friend will be disposed not to press his Resolution.

MR. JAMES HOWARD said, that the present Postmaster General had introduced several beneficial changes since his accession to Office; and he hoped that the right hon. Gentleman would ere long signalize his reign of Office by the introduction of a 6*d.* telegram.

DR. CAMERON said, that he was quite willing to withdraw his Resolution if the House would permit him; but if not, he would go to a division on it.

Question put.

The House *divided:* — Ayes 148; Noes 77: Majority 71. — (Div. List, No. 177.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

EGYPT—WITHDRAWAL OF NOTICE (MR. BOURKE).

QUESTION.

MR. PULESTON asked the right hon. Gentleman the Member for King's Lynn (Mr. Bourke), Whether it was his intention to go on with the subject of the Notice which stood in his name on the Paper—namely, the state of affairs in Egypt?

MR. BOURKE said, his Motion had been on the Paper some weeks, and he regretted very much he had been unable to bring it forward. His object was to ascertain the state of the negotiations between this country and France, between this country and Turkey, and between this country and Egypt, and with other Powers.

MR. HEALY, rising to Order, asked what this had to do with the question of the Speaker leaving the Chair?

MR. SPEAKER said, that the proceeding was in Order.

MR. BOURKE said, he was very anxious to get information on these points; but, as the Conference had just commenced to sit, it might not be convenient for the Government to give the information he desired, and, therefore, he did not propose to proceed with his Motion. At the same time, he did not wish to prejudice anything that his hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin) wished to say with respect to his Motion, nor did he wish to prejudice the right, which he desired to reserve to himself, of bringing forward any Motion on the subject upon very short Notice; because the fact of the matter was, that events were going so fast in Egypt that he thought it highly probable that some Gentleman on the Front Opposition Bench might think it his duty to bring forward the question of Egypt at the first favourable opportunity.

STATE OF IRELAND—THE EARL OF KENMARE'S ESTATE.

OBSERVATIONS.

MR. BIGGAR, who had given Notice that he would move—

> "That a Select Committee be appointed to inquire into the dealings of Lord Kenmare with his tenants, and whether or not certain of them have not been committed to prison as suspects for the purpose of having unfair rents extorted from them,"

said, that the reason he selected his Lordship in preference to other landlords in Ireland, whose conduct might have been equally objectionable, was that Lord Kenmare was a Member of the Government; and he, at least, should have acted in a way towards his Kerry tenants that would not have necessitated complaint; also, he mentioned him because he saw in the newspapers that he was one of the promoters of a public company, which proposed the wholesale eviction of tenants, their object being to depopulate Ireland as much as possible. It was for this purpose that he thought it very desirable to draw the attention of the House to his Lordship's conduct; and he would undertake, from the statement of the parties concerned, and who had been arrested as "suspects" under the Coercion Act, to charge Lord Kenmare with using his position as a Member of the Government in order to treat his tenants tyrannically, and for the purpose of extorting unfair rents from them. Lord Kenmare had figured very much in the Law Courts during the last 12 months. and especially in matters before the Land Commissioners, who had set aside several of the noble Lord's leases, charging his Lordship with having acted unreasonably towards his tenants. He maintained that no Member of the Government had any right to use his official position to get more consideration or more assistance than other landlords; and it appeared very much as though this was the case from the fact that three of the tenants evicted by his Lordship were, soon after their eviction, placed in gaol as "suspects"—a very much larger proportion than was shown by any other landlord in Ireland. If this was so with regard to Lord Kenmare, who passed as a Member of the Government, and a highly religious Roman Catholic, what might they not expect from other Gentlemen of Liberal politics, and who had no special connection with the Liberal Government, or any particular love of religion or the Irish people? It should be understood that those tenants were none of them very largely in arrears. If they had been, there might have been some excuse for acting in the manner stated; but they were evicted for one year's rent. It might be alleged, on behalf of Lord Kenmare, that he was a Nobleman who dealt very well with his tenants, and would not willingly do a tyrannical or unfair act; but he had intrusted his affairs to an agent who had the worst possible reputation of any land agent in Ireland, and if Lord Kenmare employed an agent of that description he was liable and responsible for his conduct, and it was no use his attempting to shelter himself behind the statement that he had not personally consented to the outrages committed in his name. In letters which he had received from the tenants evicted by his Lordship, these unfortunate men detailed the circumstances of their arrest. One walked on part of the farmland, from which he had been driven, soon after the eviction, and was almost immediately taken into custody under the Coercion Act. One of the tenants said that he was served with a writ for the running gale, was arrested under the Coercion Act four days after the rent was due, and a few days after was served with a writ for the amount of the rent and costs, judgment having been obtained against him. He said he wrote to the Chief Secretary for Ireland, asking to be released on parole, in order to make an estimate of his improvements, and was refused. Another tenant, Pat Murphy, was ejected for non-payment of rent; his house was then burned down, and he was arrested for putting up a hut near the farm. The hut was erected on waste ground, by the side of a passage which led to some land of Lord Kenmare's, and to land of some of his tenants. After burning the house, Lord Kenmare had Murphy's wife summoned for occupying this hut; she was summoned five different times in one month, and ultimately sent to prison for seven days, because she was not able to pay the fine imposed on her. Mrs. Murphy's child died from exposure, and she said it was Lord Kenmare's harsh treatment which killed the child; but the attorney on the other side said that, as the woman had a sick child, Lord Kenmare did not wish to deal harshly with her, and he waited a few weeks before sending her to gaol. Such was the conduct of a Liberal Catholic landlord, who held Office in Her Majesty's Government. He thought that he had shown that Lord Kenmare had used his high official position for the purpose of inducing the then Chief Secretary for Ireland to send his tenants to prison upon trumped-up and dishonest charges. He had also prosecuted the unfortunate wife of one of the tenants to such an extent that she lost her child. He hoped the Government would give a caution to Lord Kenmare not to be bringing ridicule on his Party, and that he would resign a position which he was disgracing.

Mr. HEALY said, he thought the subject introduced by the hon. Member for Cavan involved a much wider question than the question of the individual tenants he had referred to, bad as their cases might be. Lord Kenmare had acted in a manner which tended to defeat both the Land Act and the Arrears Bill; and he asked what could they expect from a Government, one of whose Members treated the Land Act as a nullity, and the Arrears Bill as if it was never about to be passed? He would take the case of a man named Daniel Shea, who formerly held land under a middleman, whose interest he bought out, and then paid a rent of £6 per annum. When the middleman's lease expired his rent was raised by about £30, and he was obliged to take a lease. Of that lease Mr. Justice O'Hagan said that it was so iniquitous that it would be broken by any Court of Equity; and in the course of further comments on the case, and on the fact that though Shea was wholly illiterate, the lease was never read over to him or inspected by anyone on his behalf, his Lordship said that the instrument contained more stringent provisions than any lease that had been brought to the notice of the Commissioners. "No doubt," he added, "it had been accepted by the tenant under undue influence." When the lease was broken Shea was still obliged to pay the exorbitant rent at which he had held previously. He therefore determined to serve an originating notice to get his rent fixed by the Commissioners; but before he did so Lord Kenmare promised a re-valuation of the land and an offer of an amicable settlement. That offer, however, was never made; but in its place came a notice of ejectment, the landlord, to make the writ legal, claiming not only the rent for the last six months, but the hanging gale also. Anything more flagitious than this attempt of Lord Kenmare to defeat the Arrears Bill introduced by the Government of which he was a Member he had never heard of. The noble Lord was a pious Catholic. Such "pious Catholics" were a disgrace to the country which produced them, and to the religion which they professed. This, as he knew, was by no means an isolated case of ill-treatment. What really could the tenant obtain in such circumstances from the Land Act? If he served an originating notice for a fair rent, it might be years before the case came on for hearing, and meanwhile the old excessive rent would have to be paid. Now, with regard to the Sub-Commissioners, he had often asked for a return of their names and qualifications; but he found that no information was given as to the districts in which they were operating. What had happened was that Members for Tyrone and other Northern constituencies had gone to the Government, and had represented that their constituents were suffering injury from the delay in the hearing of their cases; and the Sub-Commissioners had been transferred to these Northern districts, to the detriment of the districts from which they had been removed. In these circumstances the people were justified in asking whether the Land Act was a fraud, or was it a reality? Were the Government going to allow notices to be served for ejectments, when Sub-Commissioners might declare the rents to be exorbitant, and were tenants, in the meantime, to be put on the roadside? Did the Government honestly intend to carry out their own Act, and, if so, why did they not do so? There were plenty of briefless barristers and hangers-on about Dublin Castle to make Sub-Commissioners of. Only a paltry number had been appointed, while there were 80,000 tenants in the Courts, so that some of them must wait for several years. The Government did not appreciate the importance of this matter; or did they occupy the time of the House with the Prevention of Crime Bill in order to prevent Irish legislation being criticized? Were the men whose rents might be exorbitant to run the risk of ejectment, which might be a sentence of death? Was the Land Act a joke? Certainly, there was no greater joke in "Laputa," or the pages of Swift. It was costing the country £100,000 a-year to carry out the Act, and the amount by which the rents had been reduced in one year would not amount to three-fourths of that sum, which might, perhaps, be doubled or raised to £250,000 if the legal costs of landlords and tenants were added. The organizations of the tenants had been suppressed as being illegal; but the landlords' organizations—the Property Defence Association and the Orange Emergency Committee—were permitted to carry out their operations without let or hindrance. The landlords had appealed against decisions, and had carried appeals to the highest Court, so that the unfortunate tenants were left victims of the law's uncertainty. A proposal was now made to raise £750,000 for the purpose of ejecting tenants from their holdings. The Prevention of Crime Bill would not reach landlords who were guilty of cruel evictions, or who forced unjust leases on their tenants; and though the Government had stated its action would be retrospective, he supposed it would not apply to such men as Lord Kenmare. That "measurable distance" from civil war which the Prime Minister some time ago declared to exist in Ireland had been shortened considerably by the document just issued from the landlords' committee. Mr. Arthur Kavanagh spoke of colonizing the districts from which Land Leaguers were evicted with loyal people from other countries. Did Mr. Kavanagh propose to repeat the Plantation scheme of Cromwell's time? Perhaps he intended to turn the Chinese into "loyal people from other countries." The Alien Act was about to be re-enacted; and he thought that Act could never be more properly used than if it were applied to the Chinese, whom Mr. Kavanagh proposed to introduce into Ireland. That gentleman also proposed that where a single holding had been "Boycotted" the whole townland should be evicted and swept away; and he declared that he considered "land was in the most valuable condition of all when it was, for the most part, free from tenants." They were, therefore, to have a corporation of landlords, with its "A" shares and its "B" shares, and £750,000 to bring the land into that "most valuable condition of all," as it was called. Were the Government, he asked, going to look on calmly at that state of things? Were they still to potter away with their Commissioners and Sub-Commissioners, deciding only one case out of every 100 before them; while the tenants were being subjected, in the meantime, to those notices of ejectment and turned out on the roadside? The Government were passing their so-called Prevention of Crime Bill; but they allowed those crimes against the Irish tenants to be committed in the face of Heaven. When the Attorney General for Ireland rose to reply they would, no doubt, have some of those pacific and benevolent declarations which usually fell from him, and which, when the right hon. and learned Gentleman reached the Judicial Bench, he trusted would be continued. Still, words, however benevolent, would not restore to evicted tenants their holdings. He therefore asked the Government to make some statement that they intended immediately to put an end to the block in the Land Courts, and to require landlords like Lord Kenmare, while they continued to act as Members of the Administration, to conduct themselves at least with something like common decency.

Mr. DILLON said, he was glad that the hon. Member for Cavan (Mr. Biggar) had seized that opportunity for bringing under the notice of the House the conduct of one of the largest landlords in Ireland, because Lord Kenmare was, in a great measure, a type of Irish landlordism and its action at the present moment. He believed that while that noble Lord was acting in a way that was thoroughly disloyal to the present Government he was, at the same time, enjoying a considerable official salary out of the public taxes. He had heard from unfortunate tenants on Lord Kenmare's estate, whose fellow-prisoner he (Mr. Dillon) was for six months, that his Lordship's understrappers boasted over the estate that, inasmuch as he was a Member of the Government, he could live on his salary of £4,000 and leave his tenants to starve. Would he be allowed to continue in the enjoyment of that £4,000 a-year? He charged Lord Kenmare with endeavouring to counteract and destroy the effect of the Land Act passed by the Government at an enormous expense of labour and of public time, and also with being one of the great landlords who were now deliberately attempting to render useless the passing of any Arrears Bill by, as it was called, taking the bull by the horns and dealing with the tenants before any Arrears Bill became law. He concurred in the condemnation pronounced by the hon. Member for Cavan on Mr. Samuel Hussey for the mode in which he managed his estates; and having conversed with many a poor man who had the misfortune to be born under his rule, the impression left on his mind was that Mr. Hussey was one of the men in Ireland whose proper vocation would be to go out and take charge of a slave plantation in Brazil; and he doubted whether he would not get into trouble with the Government of Brazil if he treated the slaves there as he treated his Irish tenants. One of the worst features of the system of large agencies was that, when it fell into the hands of men like Mr. Hussey, it helped to educate a nest of young ones, who spread themselves over the country to disturb districts which had previously been peaceable. Not content with inflicting unmitigated tyranny on the tenants of Kerry, this agent sent his sons and *protégés* broadcast over Ireland. He regretted to say that one of them had alighted in the county of Mayo, and, in a district hitherto peaceable, had stirred up such a feeling of hatred between the tenants and the landlords who employed them that troops and police had to be drafted into the locality to prevent disturbance. It had been complained of as a grievance that some of the Sub-Commissioners sitting in the South had been sent to the North of Ireland at the solicitation of Northern Members. He thought that was a very questionable advantage to the Province of Ulster. Indeed, he doubted very much if the majority of the tenants of Ulster were not sorry that they ever laid their cases before the Courts at all. He had been informed on good authority that a large landlord in the county of Tipperary was now proceeding against his tenants by writ in the most expensive mode from the Superior Courts of Dublin to levy a half-year's rent, being the whole sum due. How could they expect to have peace and quiet in the country while such cruel and selfish proceedings on the part of landlords were allowed to continue? A case, typical of a vast number described by the Sub-Commissioners in Ireland, came before the Sub-Commission Court at Armagh recently, in which the presiding Commissioner, Mr. Romney Foley, said—"I fix the rent at the value of the farm as sworn to by the landlord's valuation." In thousands of cases the same thing had occurred in Ireland; and was it any wonder, having regard to such a proceeding, that a spirit of discontent rankled in the breasts of the Irish tenantry? At Maynooth, a few months ago, Lord Cloncurry, after personally contesting a number of cases brought before the Sub-Commission by his Kildare tenantry, stood up in Court and said he would consent to a certain reduction —20 or 25 per cent—and the Court immediately fixed the rents at the sum he consented to accept. He mentioned that as a sample of how the majority of the Sub-Commissioners administered the Land Act; and he mentioned it also to show that Lord Cloncurry, after hearing the evidence in the cases of his tenantry at Kildare, consented in open Court to a greater reduction than that for asking which his unfortunate tenants at Murroe were cast out on the roadside. If he could have got the least hold upon his Kildare tenantry he would have treated them in the same way. How could the Government expect the people to be loyal to the law, or to abstain from agitation, when they were subjected wholesale to such a system as that? The Land Act, in its present shape, had proved a complete failure; and unless the Government took some steps at once to bring about an interval of peace in Ireland, during which the House could approach the settlement of that measure, he was afraid that next year they would find themselves in a very much greater embroglio. If the Irish Members had been listened to last year, instead of being danced upon and laughed at, the House would have been spared many months of wasted time. If the Government only listened to them now, and if they but realized the fact that the course they were pursuing must inevitably end in failure, many disagreeable scenes might be averted in the future. He was assured by a gentleman in whom he placed the greatest reliance that at that moment in North Kerry the prospect of the Arrears Bill was stimulating evictions to a feaful extent; and if the Government did not take some measures immediately to stop the eviction of the people there and elsewhere, they would have to regard the Arrears Bill as a curse rather than a blessing. The landlords were taking care that the Arrears Bill should not come between them and the land in the most valuable condition it could be found—namely, "without tenants." The same observations applied to the Province of Ulster, where such landlords as the hon. Member for Carrickfergus (Mr. Greer) were extremely rare. Any doubt he might have had about what he had stated was completely removed by an article which appeared in *The Standard* of Saturday last, giving a semi-official explanation of the new Land Corporation of Ireland. This article, which was evidently written with the knowledge and sanction of the promoters of the scheme, stated that this new Corporation would induce those tenants who were an incumbrance on the soil to quit the country. They all knew the fearful meaning of that, and that if the Land League made fresh efforts to prevent that object it must be dealt with by the Prevention of Crime Bill. The landlords let the cat out of the bag too soon. They now saw why the Members for Dublin University watched the Coercion Bill night after night to prevent any alteration being made in it. The desire of these Gentlemen was not that the measure should be effective in putting down crime, but that it should be used to assist the Land Corporation in "inducing" a great number of the tenantry of Ireland to leave their country. He read the document issued by Mr. Kavanagh with astonishment. Up to this, he had a very much higher opinion of Mr. Kavanagh's intelligence, not to say of his public decency. Often when addressing that House he boasted that he was proud of being an Irishman; but no Irishman would have hand, act, or part in a scheme for sweeping away the majority of the population of his country, and replacing them by Englishmen, Scotchmen, and other foreigners. Would the Government allow this Corporation to do what the Property Defence Association and the Orange Emergency Committee did before—to maintain an armed force in their pay in Ireland while the whole population lay disarmed? No quibbling about legality or otherwise should be allowed to justify such a course in face of the stringent Coercion Bill about to be passed. The document went on to state that the passing of this Coercion Bill would inspire confidence in the Irish landlords, who were now timid aud hesitating. That it had done so already was proved by the number of evictions that had recently taken place. The writer of the letter went on to remark that he had submitted the proposal to a Resident Magistrate, who had said that such an association would do more to pacify the country than a whole army could do. Then this was the work in which these Special Resident Magistrates, with their salaries of £1,500 a-year, were engaged. They were approving a scheme which would result in the extermination of the people of Ireland. As long as he had a seat in that House, he would press night after night for the removal from office of that Resident Magistrate. They had proof now, out of the mouths of the landlords themselves, of the manner in which the "Special Resident Magistrates" in Ireland were dealing out even-handed justice between the landlords and the tenants. They had proof positive of what he asserted in that House before. When this Coercion Bill became law these Special Resident Magistrates, who ought to act impartially between the rich and the poor, would be dining at the tables of the landlords, and would concoct with them the decisions to be given the next morning, and would arrange with them what men were to be arrested under special warrants, and who were to have six months' imprisonment with hard labour. As long as that system went on it was useless to expect the Irish people to have confidence in the law. He found amongst the subscriptions to this fund the name of the man who had given rise to this debate—the Earl of Kenmare—and he must protest against the public money being applied to such a purpose. The Earl of Kenmare could not afford to give £500 to this fund unless he received some £4,000 per annum for some undefinable service which he performed for Her Majesty; and when that Vote came up he should call on the Committee to refuse to grant that sum to the noble Earl, in order that he should not use the public money in exterminating the poor people of Ireland, who had paid him or his father before him thousands and hundreds of thousands of pounds in rent. The noble Earl, by his conduct, was doing his utmost to render the attempts to bring peace and tranquillity to Ireland an utterly impossible task.

Mr. TREVELYAN said, that the Motion of the hon. Member for Cavan (Mr. Biggar) was a peculiar one; but more lay behind it than appeared on the surface. The Motion placed the Government in a difficulty in one respect. In itself it required nothing more than a plain denial; but three speeches had been delivered which made it necessary to give more than a plain denial. The hon. Member had attempted to draw a distinction between Lord Kenmare and other landlords, on the ground that the noble Lord was a Member of the Government. The hon. Member had charged Lord Kenmare with using his position to exact unfair rents. Then the hon. Member had gone on to say that Lord Kenmare passed as a Liberal and an ardent Roman Catholic. First he must protest against the fact of Lord Kenmare being a landlord being mixed up with his being a Member of the Government. Whether a man was in business in general, or in the special business of a landlord, he had a right to carry on his transactions exactly with the same freedom, whether he was a Member of the Government or was a private individual. Having made this protest with regard to Lord Kenmare's connection with the Government, and having said, once for all, that no idea could be more preposterous than that the official position of Lord Kenmare could weigh on the minds of the Land Commissioners, or of the authorities at Dublin who were charged with the duty of imprisoning persons under the Protection Act, he would proceed to defend Lord Kenmare exactly as if he were a private landlord. The hon. Member for Cavan had taken an exceedingly partial view of the relations between Lord Kenmare and his tenantry. The charges were not definite, although two or three of them were definite. The hon. Member began by representing Lord Kenmare as a sort of tyrant, who devoted the £4,000 a-year which he drew as Lord Chamberlain to oppressing his tenants in Ireland. The hon. Member's accuracy in other matters was on a par with his accuracy in that statement. If the hon. Member had taken the trouble to study the Estimates, he would have found that the noble Earl received only £2,000 from his official position. Then the Government absolutely refused to admit the slightest responsibility on Lord Kenmare's part in the operations of the Protection Act. It was the business of the Government to see whether or not certain persons should be sent to prison. The Government were, as a Government, responsible. He could not even conceive what part the Government could have in the matter, except to judge at what time they could safely let out such of Lord Kenmare's tenants who had been imprisoned. But among all the tenants, who numbered some 1,400 or 1,500, only three had been arrested under the Protection Act. Two had been released—one on the 19th of April, the other on the 22nd of May. The third was still in custody—William Walsh was his name—on a charge of being reasonably suspected of being concerned in an attempt at murder in a proclaimed district. That was not the first time that the question had been brought before the House. It had been introduced on a former occasion by the hon. Member for Sligo (Mr. Sexton), who had drawn attention to the fact that only two of the tenants had served originating notices on their landlord. The fact was that Lord Kenmare's tenants had shown no desire at first to enter the Land Court, and it was only after 940 tenants in the same district had commenced proceedings that they thought of doing so. The consequence was that those 940 had precedence over those of Lord Kenmare's tenants who served originating notices. Then there was the case of John Kernan, which had been referred to. Kernan was served with a writ in January, 1881. He was evicted in May of that year. He was seized in June, and charged, as he said, with trespassing on the farm. According to the public records, he was charged with "maliciously demolishing certain walls and fences, and committing other damage to property." He was kept in prison till April last, when he was discharged. After his release he, not unnaturally, entertained bitter feelings against his landlord; and it was brought against Lord Kenmare that an unfair rent was exacted from this man. But it appeared that Kernan sub-let a portion of his land, and charged a higher rent for the portion sub-let than he paid for the whole. That was rightly enough, as he thought, taken by the Land Commissioners as a reason for not lowering his rent, and was a sufficient answer to the suspicion of the hon. Member for Cavan that he was imprisoned as a "suspect" for the purpose of having an unfair rent extorted from him. The other person mentioned was charged with intimidating persons in order to prevent them paying their rent. He was relased on the 22nd of last month. Then the hon. Member referred to a case which, as far as he could make out, had nothing to do with the terms of the Motion—he meant the case of Mr. and Mrs. Murphy. That case, as described by the hon. Member, appeared to have a great deal of hardship in it; but when it came to be examined by the light of the actual facts, it assumed an entirely different aspect, and did not in any way tend to the discredit of Lord Kenmare. Murphy was in close relations with one O'Callaghan, his brother-in-law, to whom he owed nearly £60. O'Callaghan was the tenant of the farm, and Murphy took it over from him. They came to be on very bad terms, and Lord Kenmare did his best to reconcile their differences. Ultimately they agreed to refer the matters in dispute to their respective parish priests, who gave their award in favour of O'Callaghan. Murphy would not, however, pay the money, but retained possession of the farm with all the advantages accruing therefrom. It was O'Callaghan, and not Lord Kenmare, who took proceedings against Murphy and got him turned out of the farm. Afterwards Lord Kenmare ejected O'Callaghan; but by that time Murphy had ceased to be a tenant, and was the forcible occupier of a hut which had been formerly used as a dairy. Lord Kenmare considered that he had a responsibility for Murphy and his family on grounds of humanity; and accordingly, when Murphy was put out of possession on this occasion, Lord Kenmare offered to give him £60 in cash in order that he might remove himself and his family from the country. This offer Murphy rejected. With reference to Mrs. Murphy's child, he protested against cases of this kind being brought forward in the House of Commons without better evidence than had been adduced in the present discussion. So far from acting inhumanely in this matter, Lord Kenmare really acted with rather exceptional humanity. He directed his own medical adviser to report on the condition of the child, and then offered to send it, at his own expense, to a hospital at Dublin. With regard to the case of Daniel Shea, it had been stated by the hon. Member for Wexford (Mr. Healy), with the most perfect accuracy, as far as the judgment of Mr. Justice O'Hagan was concerned; but the fact that a lease of Lord Kenmare's had been broken did not prove that his Lordship was in general tyrannical to his tenants. As to Shea's rent being excessive, Lord Kenmare's agent asserted that it bore exactly the same proportion to the Poor Law valuation as the judicial rents fixed by the Sub-Commissioners a month before, at Bantry, for seven tenants. [Mr. HEALY: The worst Sub-Commissioners at Bantry.] He now passed to the question with regard to Shea and the other tenants, on which the hon. Member for Wexford and the hon. Member for Tipperary (Mr. Dillon) had founded a general argument. The hon. Member for Wexford said that, as soon as Shea's lease was broken, Lord Kenmare served an ejectment upon him; but the object was to make him pay his rent, which there was no reason to believe he was unable to pay. Then the hon. Member seemed to think that Shea was badly used because he could not at once get his rent lowered and a judicial rent fixed. Shea served an originating notice, and, like other tenants, he would have to wait till that notice was dealt with. Hon. Members opposite talked as if the Land Court were not proceeding with any amount of rapidity and promptness; but the Government, which incurred great obloquy in passing the Land Act, watched its operation with the greatest interest. In point of fact, those Courts were getting through their business with something very like reasonable rapidity. According to the last account, about 1,000 cases were being got through every week—about one-half of them in Court and one-half out of Court. The last time he spoke to the Land Commissioners they told him they hoped to get through the entire arrears by the middle of 1883. It would be a long time indeed if, during all that period, the Irish tenants were liable to eviction; but any tenant who served his originating notice was as secure against eviction as if he had had his case dealt with, and his judicial rent fixed. ["No!"] Of course, that was as long as he paid his other rent. He had great sympathy with the Irish tenant; but that sympathy did not extend so far as to think he was exceptionally ill-used in having to continue for another twelvemonth to pay his old rent, when, at the end of that twelvemonth, he was to have what was intended to be a fair rent fixed for him. He was glad that the hon. Member for Wexford (Mr. Healy) showed considerable appreciation of the Land Bill; but, in his comments upon the want of rapidity in the proceedings of the Land Court, he had left out of sight the important consideration, the very large number of cases that had been settled out of Court, and in which the tenant had reaped quite as much advantage as if he had applied to the Court. The Land Commissioners had not been able to furnish him with a statement of the number of settlements out of Court; but it appeared, even from the daily papers, that there were frequent cases in which settlements of a most advantageous kind to the tenants were made upon the large estates. The hon. Member for Wexford also told him that £100,000 was spent in reducing £75,000 of rent; but it must be remembered that that reduction of £75,000 was for 15 years, and that it could only be increased if the value of the land increased very considerably. Then an attack had been made upon the Sub-Commissioners, and the hon. Member for Tipperary (Mr. Dillon) had said that in some cases their decisions were unfair against the tenant. But, on the other hand, they were attacked for having shown too much favour to the tenants. From these attacks, coming as they did from opposite Parties, it was only fair to draw the deduction that the Sub-Commissioners were acting impartially. The hon. Member for Tipperary had drawn attention to a recent circular announcing a landlords' association, and he asked what steps the Government were about to take with reference to that organization? It would be very premature and very improper for him to speak on this occasion at any length on this question, because he had not actually read the circular through; but there were certain principles of government which were so undoubted that one could boldly lay them down at any moment. So long as the organization of landlords—if it deserved that name—kept within the law, so long it would not be interfered with by the Government, just as no organization of the tenants would be interfered with by the Government so long as it kept within the law. It was said by the hon. Member for Wexford that the Prevention of Crime Bill was directed against the tenants; but that he denied. It was directed against the minority of miscreants at present tyrannizing over the people of Ireland, both landlords and tenants. The hon. Member asked whether the Government would proceed to disarm the Emergency men, or those called by another name? As a broad principle, the Government asked for powers to disarm no one who used arms for legitimate purposes or self-defence. The hon. Member referred to the prospectus which, he said, was published by Mr. Kavanagh, and said a Special Resident Magistrate was quoted in the circular as having given certain advice. Well, he (Mr. Trevelyan) did not know about those passages. The hon. Member quoted from the circular another passage, so worded that it certainly gave an idea to the tenants of Ireland that the intention was to make wholesale evictions of whole districts. That sentence was undoubtedly a very unfortunate sentence, and it was a most unfortunate thing, if it was the case that this was a genuine document, that in a sentence of that sort in the document any allusion was made by Mr. Kavanagh to a Special Resident Magistrate. No Special Resident Magistrate and no Government official ought to have allowed his name to be mixed up with a document which contained such a sentence about evictions; but, at the same time, he might state the general principle that, so long as any organization of landlords and tenants continued to be a business association, and kept within the law in every respect, so long it seemed to him to be a question not for the Government, and the Government would not interfere with it. The hon. Member had, however, asked what the Government were going to do in order to protect the tenants from the spirit expressed in that sentence—no doubt an unfortunate spirit? The Government had already done something for the tenants. For, in the first place, they had passed the Land Bill; and if the tenants only chose to serve originating notices, and to claim the benefits of the Land Act, all the societies and associations in the world, even though actuated by the spirit of the sentence which had been referred to, would not be able to remove them from their holdings. Then the second thing the Government had done for the tenants was to introduce the Arrears Bill, which they intended to press forward with as much thoroughness as they had ever pressed forward any other Bill. The Government were asked why they did not step in between Ireland and misery, and stop this state of things, and that if the turmoil continued it would be the ruin of the Liberal Government? The ruin of a Government meant very little. It meant to them that they should go back to some sort of leisure and enjoyment of life; but it meant a very different thing to Ireland. It meant misery and turbulence, and an almost indefinite postponement of any choice of genuine amelioration and happiness; and in order to avert this, the Government brought in this Arrears Bill, which would enable a very great majority of the tenants to place themselves in this position under the Land Bill—that they would have no longer anything to fear, and would be safe from evictions. If hon. Members opposite would only believe that the Government meant well to Ireland, they would help the Government to pass the Prevention of Crime Bill, and so enable the Government to direct its whole strength and its whole courage to passing the Arrears Bill, which hon. Members knew was the utmost that any Government could do at the present moment for the pacification of Ireland.

Mr. FITZPATRICK said, he thought a great many inaccurate statements had been made regarding the new Land Corporation. He could only imagine that the object of the hon. Member who had brought this question before the House (Mr. Biggar) was to induce the people of Ireland not to avail themselves of the advantages which this scheme would confer upon them. The hon. Member had referred to the scheme as one of extermination of the present class of tenants, to be carried out by eviction. As one of the promoters of the new association, he (Mr. Fitzpatrick) denied that it had anything whatever to do with eviction, or had any reference to it. No farm could be taken up by the Corporation, except the tenant had completely sold his interest, realized his profit, and left the country. Then, if the Land League chose to "Boycott" the farm, the Corporation would take it up and work it for the landlord. The hon. Member for Wexford (Mr. Healy) had asserted that the Corporation had been formed to carry out evictions. That assertion was totally devoid of foundation, and if Parliamentary usage permitted, he would characterize it as it deserved, for it was most unfair to make statements which were well known to be untrue. The hon. Member for Tipperary (Mr. Dillon) had asserted that the association was a declaration of war against the tenants, and spoke of the circular declaring the necessity of carrying the war into the enemy's country. Who began the war? [A Voice: The landlords.] It was begun by the Land League, and the hon. Member had once told them that it was now war to the knife against the landlords. [Mr. Dillon: I said nothing of the sort.] He (Mr. Fitzpatrick) maintained that if there were any war at all, it was a defensive war only, and directed against the pernicious counsels of the Land League and the agents of those who sought to prevent honest tenants from paying their debts, and to hinder them in the performance of their duties. Upon one point, hon. Members had made a great outcry. They said there was a clause in the scheme directed against townlands, from which there would be wholesale evictions. There was no such intention by the promoters of this scheme; indeed, it was impossible. The intention was only to interfere in case there were a few violent bankrupt men, who were determined to keep the townlands in a state of turmoil and to annoy their neighbours. In such a case the Corporation would become agents for the townland. The hon. Member for Cavan (Mr. Biggar) professed to have read a prospectus of the Corporation. That he could not have done, as three drafts only were in existence, all of which were in his (Mr. Fitzpatrick's) own possession. The articles of association empowered the Corporation to purchase and acquire land and hereditaments in Ireland, and generally to carry on all business necessary to agriculture. Among the objects of the Corporation was—

> "To lend money to proprietors, to tenants, occupiers of land, and others in Ireland, or connected with Irish property, upon security of land in Ireland or other security."

Thus the Corporation could be made use of by tenants as a loan fund to enable them to buy their own farms. As regarded the objects of the association, he would refer to a letter from Mr. Kavanagh to a Nobleman, who wished to know whether there was any chance of the Corporation being utilized for carrying out evictions? Mr. Kavanagh stated that it was very far from his intention to encourage landlords to evict their tenants; his personal influence, so far as it went, would be directed to preventing any case being taken up by the Corporation in which there was any proof of harshness on the part of the landlords. So far from the charges brought against the Corporation being substantiated, he (Mr. Fitzpatrick) maintained that the Corporation would promote the good of the country, and that the object of its promoters was as much the good of the tenant as of the landlord.

MR. SEXTON said, that it was nothing new to hear protestations of patriotism, and of their regard for the interest of their tenants, from hon. Gentlemen sitting on the Conservative Benches. The time had passed, however, when they could be regarded with seriousness, for the most positive and palpable fact on the surface of Irish life was the hideous contrast between those protestations and the acts of those who made them. He (Mr. Sexton) had known an hon. Member of that House come there, fresh from his estate in Ireland, where his tenants and their wives and children were huddled on the roadside, clothed, fed, and sheltered by the Land League, and deliver protestations of patriotism and love such as he had now listened to. This new Land Corporation, judging from the proclamation it had put forward, wore frankly in the daily Press the countenance of the wolf; that night, however, it had been presented to them by the hon. Gentleman the Member for Portarlington (Mr. Fitzpatrick) as a wolf in sheep's clothing. That hon. Gentleman had shown his faith in the Corporation by subscribing, or promising to subscribe, £500 to its funds, and that was a practical reason for his zeal in defending it, and why he took such a warm interest in its welfare. Any gentleman would be desirous, if possible, of obtaining a dividend on his investments. The hon. Member asked who had begun the war? No doubt, the hon. Gentleman would reply the Land League began it; but, in reality, that base and hideous war began before any of them were born. It began in the misery and the oppression of the last century, in the days of George III., when the sturdy farmers of Ulster were driven forth from their humble homes to fight in the American War of Independence, to die of want on the roadside or in a distant land. If the landlords were indignant now, and were losing their heads and embarking in exploits which could only lead them to shame and disaster, why was it? Because they wanted a breathing-space in that long war, in which all force had been on the landlord's side; they wanted a breathing-space, because the people had risen up and banded themselves together to claim the rights of men in their native land. They spoke about the Land League. It was a well-known historical fact that the Land League was suppressed last year. The Land League had done its work, and though suppressed, it was not killed in a sense, for it seemed to excite greater terror now it was dead than when it was living. The secret was that during the brief space the Government allowed it, the Land League successfully accomplished its mission, which lay in conveying from the minds of the Irish Leaders to the Irish people, those principles of combination of action which must get rid of landlordism. It would take a great deal more than subscriptions of £500 from the hon. Member for Portarlington and others to undo what had been done by the Land League. That hon. Gentleman had given a touching account of the benevolent motives of the Irish landlords; but it was idle to attempt to get rid of the Circular of Mr. Arthur Kavanagh, or to limit the character of the Land Corporation by references to prospectuses which the hon. Member for Portarlington still retained in the seclusion of his pocket. In the circular which had been given to the public in *The Times* and *The Freeman's Journal* Mr. Kavanagh made no secret of the object of the Land Corporation. The object was clearly to replace the tillers of the soil by a new Plantation, by separating the Irish tenants from the soil and extirpating them. That was the object of Oliver Cromwell. It was strange that after two centuries of complete and irresponsible power, the landlords of Ireland should have to return to a policy which was never mentioned by humane or honest Englishmen without shame. The landlords had published a bogus list of subscriptions of money which had no existence in the landlords' pockets or elsewhere, in the hope of inducing the financiers of London to join them. It was a strange thing that at this time the landlords of Ireland should be attempting to expel from Ireland a people than whom none on earth were so thankful for small mercies. What did the Land Corporation propose to do? In the first place, it proposed to stimulate and develop the system of grazing farms. The system of grazing farms did not give employment to the people. It was altogether a loss to the country. They knew in Ireland what the system of grazing farms meant. It meant a depletion of the population of the districts in which it had been adopted to an extent unequalled in the whole world. It was a system which would give employment to one herd where before 20 labourers might be employed to till the soil. If that system were adopted, he warned the Government that it could only spread disaster through the country. What did it propose in the second place? The hon. Gentleman said the Corporation did not propose to go into the occupation of any farm, unless the tenant had sold his interest. It did not matter at all, however, to this Corporation whether or not a farm became vacant by sale or by eviction. A farm was vacant; that was enough for them. There were at this moment in Ireland 1,000 families and 10,000 people who were waiting patiently for the coming into operation of the Arrears of Rent (Ireland) Bill, in the hope that landlords might be induced to take them back. This new Corporation was Mephistopheles stepping in between landlord and tenant to prevent a return of good feeling, and to anticipate and kill the Arrears of Rent (Ireland) Bill. Great would be the responsibility and great would be the guilt of any Government that did not interfere, but, on the other hand, allied itself, however remotely, with such a Body as the Land Corporation, which was so unpatriotic in its conception, and which would be so morally murderous in its future. The Chief Secretary for Ireland said he would not interfere with the Land Corporation. Well, that did not square with justice. It certainly did not square with justice if, on the one hand, the Chief Secretary for Ireland refused to interfere with a scheme for a wholesale expulsion of people from Ireland, while, on the other hand, he made no provision to enable the people to apply the law in self-defence. The right hon. Gentleman gave credit to the Land Courts for settlements out of Court by a combination of tenants. He (Mr. Sexton) said, with equal confidence and with more reason on his side, that settlements effected out of Court by a combination of tenants were due, not to the Land Courts, but to the Land League. Would the right hon. Gentleman or the Government do any one of three things? Would they suspend evictions? Or, if they would not suspend evictions altogether, would they suspend them in such cases as the Resident Magistrates might report to be cases of hardship? Would the Government, on their own responsibility, in such cases as the Resident Magistrates reported to be cases of hardship, cases of cruelty, prohibit the carrying out of evictions, and refuse to lend the armed Forces of the Crown to assist in carrying them out? Would the Government push on the Arrears of Rent (Ireland) Bill into law? There were thousands and thousands of unfortunate families in Ireland living in miserable huts, into which they had been driven, who were waiting for the passing of the Arrears of Rent (Ireland) Bill. Would the Government push on that Bill, and thereby settle the dispute which formed the whole core of the Irish difficulty, instead of pushing on the Prevention of Crime (Ireland) Bill, the first effect of which had been the formation of this Land Corporation, this sinister Land Corporation for the expulsion of the people, the working of which would enable the minions of the landlords to carry out the oppression of the people without fear of reprisals? What was the third object of the Land Corporation? Why, it was simply diabolical, and he wondered that any man of respectable position would attach his name to it. They said not only that they would take isolated farms, but that wherever they found the farm of an evicted tenant which had not been taken up, they should be placed as agents of the tenants in that townland, and should have power to evict them if necessary. It was also proposed by the framers of the scheme that the evicted people should be replaced by loyal farmers from other countries. [Mr. GIBSON: Hear, hear!] He could understand that the right hon. and learned Gentleman regarded the whole proposal with undiluted joy. The Irish race had found just judges in England, and people who sympathized with its sorrows. But to neither of those classes did the right hon. and learned Gentleman belong. In fact, he had never concealed his dislike and even his hatred of the Irish people; and whatever plan promised to banish the Irish people from the land which was their own would be certain to command the approval of the right hon. and learned Gentleman. For the purpose of working their nefarious scheme with greater safety, the new Corporation hoped to be allowed to turn out all the surrounding farmers, in the belief that to garrison a townland would be cheaper than to garrison a single farm. He (Mr. Sexton), however, told the House, the Land Corporation, and the country, that although the scheme was a bold one—one not marked by any religious, moral, or patriotic principle—yet it would fail, for its promoters were entering upon a fight in which the odds of probability were all against them. They seemed to face the contingency of outrage with light hearts, and he should have expected it from their antecedents, their only care being to get possession of the land and to bring in tenants from foreign parts. Such was the plan of the Land Corporation. Outrage would, of course, result from it. If whole townlands were cleared of people, a new policy of Cromwellian Plantation being openly avowed, could anyone suppose that the ignorant classes in Ireland, having in their ranks men of violent nature, would not be induced to retaliate in a manner which might appal humanity? He warned the Land Corporation, and all who might be inclined to support them, to beware and pause before taking a final step. The people of Ireland had funds at their disposal, and union reigned among them. Though a Liberal Government, false to its former principles, might refuse to defend the people against this nefarious combination, he did not hesitate to foretell the disgraceful failure of a movement which was the most cynical and heartless to which men of position had ever given their support.

MR. GIBSON said, that the course of the discussion for the last hour or two had been somewhat desultory. It had commenced with a rather laboured condemnation of Lord Kenmare, and that condemnation had since been used as a kind of peg upon which to hang an attack upon the Land Corporation. He (Mr. Gibson) could not but think that all who had listened to the speeches of the hon. Member for Tipperary (Mr. Dillon) and of the hon. Member for Sligo (Mr. Sexton) must have been struck by this fact—that whereas, up to the present, they had been accustomed in former speeches to a good deal of extraordinary language, and to show a great amount of hatred to landlords and landlordism, that night they had discovered some indications of fear and terror. It seemed from that there was reason to believe that it was felt that, censurable as the individuals composing it and the institution of landlordism might be, its members had at last hit upon something which, at all events, made the Leaders of the Land League reflect. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland said that he had not read the papers to which hon. Members below the Gangway had referred. He (Mr. Gibson) regretted that that should be so. The matter had been before the public many days, and Mr. Kavanagh had stated his views very frankly and very clearly upon it in a letter to *The Times*, and on two days they had been made the subject of leading articles in that journal. Besides that, *The Freeman's Journal* had written upon it with considerable vigour. But as he had not read the literature on the subject, the right hon. Gentleman had acted wisely in refraining from passing judgment on the scheme, for it was obvious that a scheme such as that under the consideration of the House, which must necessarily have an extensive operation, could only be judged as a whole, and that it was unfair to fasten upon particular sentences a meaning which they could hardly bear, even when read apart from the context. He (Mr. Gibson) was not a member of the Land Corporation; but he had read its literature with great attention, because it affected Ireland; and because he had the honour and privilege of being a close and warm friend of Mr. Kavanagh; and the meaning he placed on the transaction was, that it was a strong, vigorous, and successful attempt at self-defence; that in no sense whatever could it be regarded as aggressive. If farmers should choose to pay their rents, and to demand the liberty to do so—a liberty which they had foregone for so long in consequence of the terrorism under which they groaned—or if they should choose to appeal to the Land Court to fix fair rents for them, they would have nothing to fear from that or from any kindred organization. But when farms were lying idle from which tenants had allowed themselves to be evicted in obedience to the behests of the Land League—"Boycotted" farms which the Land League or the leaders of the people said must remain unoccupied—surely, then, it was not unreasonable to say, if no tenant was allowed to touch those farms under the existing terrorism, that an organization should be allowed to come into existence for the purpose of introducing a better state of things under wise and just conditions. His view of the organization was, in fact, this—that it might in many cases save the landlord from ruin, and enable the tenant to regain the liberty which he had lost. The hon. Member for Tipperary (Mr. Dillon) said that the association was a society for the extirpation of tenants. He forgot that its operations were only to commence when a man should have ceased to be a tenant, and when his former farm should be lying idle.

Mr. DILLON explained that what he had said was that one of the objects of the Corporation, judging from the prospectus, was to keep the land in the most valuable condition, or, in other words, free from tenants.

Mr. GIBSON, continuing, said, that the hon. Member for Sligo had characterized one portion of the scheme as simply—and the hon. Member paused in order to find a word that was sufficiently bad for his purpose—it was simply diabolical. ["Hear, hear!"] Well, "diabolical" was undoubtedly a good word. The hon. Member applied it to the scheme because, he said, the Corporation was to have the power of evicting. But if a tenant should please to go through the vulgar and commonplace process of paying his rent, he could not be evicted; or, if he did not like his present rent, thinking that it was too high—and naturally tenants did not like to pay rent—he had only to go into the Land Court, and, almost for the asking, he would get his rent cut down a quarter or nearly a third. So that he did not see the force of the charge that this Corporation would have conferred on them powers of eviction. What was the state of things with which this organization sought to cope? The hon. Member for Sligo said that the landlords of Ireland had been so long petted and pampered. Had they been petted and pampered during the last two years? The hon. Member contrasted the proceedings of this Land Association with the merciful proceedings of the Land League—the expression he used was "the charity of the Land League." Charity was a very noble thing, and it sometimes cost money; but the charity which took the form of taking other people's property was open to a certain amount of criticism. He had not heard that the Land League had shown any great charity, as regarded their own funds, either to tenants or labourers. And here he might say, in passing, that there was a remarkable contrast between this Land Corporation, which published the names of those associated with it and the subscriptions—in short, everything connected with it—and the Land League, which had never condescended to anything so petty and small as the publication of a balance-sheet. When people heard those expressions about "the charity of the Land League" they were apt to forget where they were living. Had they not been told from numerous platforms, and also, he thought, in that House, that the object of the recent Land League agitation had been to bring landlords to their knees, or to abolish landlordism? And he thought the hon. Member for Tipperary (Mr. Dillon) used the expression that he was for war to the knife with the landlords. [Mr. Dillon: No, no!] He never for a moment hesitated to accept any statement of the hon. Member, who always spoke with the utmost frankness; but the hon. Member said something like it, and always expressed a resolute determination to get rid of landlords root and branch. That being the reality that had to be faced, they were driven to talk about just and unjust evictions. [*Ironical Irish cheers.*] He supposed those cheers indicated that all evictions were unjust, and he was now dealing with the statement put forward by the Land League. There were some evictions, of course, that might be open to criticism; but he was dealing now with the broad proposition that all farms from which tenants had been evicted were substantially "Boycotted," wherever the power of the Land League enabled it to be done; and an absolute reign of terror existed where the agents of the Land League could bring it about. Well, under those cirumstances, was it not rather unreasonable to say that the tenants had a full right to organize, sometimes with great criminality and great cruelty, and that the landlords were bound idiotically to remain isolated? He ventured to think that was an argument which could not for a moment suggest itself to any man of common sense. It was necessary for self-defence that something should be done by landlords within the limits of the law, according to the dictates of justice, and never forgetting what was due to fair play. As far as he had been able to read the correspondence in the papers, he must say he found everything connected with the Land Association thoroughly open; the names were there, the subscriptions were there, the association was proposed to be registered according to law; and, under those circumstances, was it not a little extravagant to talk of Oliver Cromwell and Barbadoes in connection with this transaction? The name of Mr. Kavanagh would, he ventured to say, be a great guarantee to the fair public opinion of England as well as Ireland. [A VOICE: Carlow!] Yes; and in Carlow, too, it would be a guarantee that nothing but what was just and fair and honourable would be done. He had the honour, as he said before, of intimate friendship with Mr. Kavanagh, and he never met a man more fair-minded, able, or thoroughly patriotic; and he was as satisfied as he could be of anything in the world that if this was not a fair scheme between man and man—between landlord, tenant, and labourer—the name of Arthur Kavanagh would in no way be mixed up with it.

MR. T. P. O'CONNOR said, the right hon. and learned Gentleman opposite (Mr. Gibson) had objected to the use of the word "diabolical," as employed by his (Mr. T. P. O'Connor's) hon. Friend (Mr. Sexton); but the phrase was justly employed, for it was a diabolical offence to starve the poor and drive the people into exile; and by the natural interpretation of this document, the object of the Corporation was to do both if it could. What would the right hon. and learned Gentleman say to these words—"The security offered would be the land in the most valuable condition?" That certainly meant free from tenants; so that the land in Ireland would be only valuable when the Irish tenant was driven from it. And, again, "If, however, they persevered, the result would be that Ireland would be colonized by farmers from other countries." Was not that a scheme of depopulation? The people would be driven from the land, unless they agreed to pay rents, one-fourth of which had been declared by the Courts to be robbery on the part of the landlords. The right hon. and learned Gentleman said that those people had nothing to do but to pay the rent, or apply to the Court. The right hon. and learned Gentleman must know that it was impossible for them to pay such rent; and in the Arrears of Rent (Ireland) Bill there was an admission by the Government that large numbers of tenants were so poor, and over-burdened by rent, that it was impossible for them to pay. As for applying to the Land Court, it would take years before that tribunal would be able to deal with a tithe of the applications before it, and meantime the Land Corporation would use all its efforts to turn men out. He would ask the two Irish Law Officers now present whether they had read the Circular; and, if so, whether they did not consider that this association came under the 4th clause of the Prevention of Crime (Ireland) Bill, which made a combination illegal which injured any man in his business? The speech of the right hon. Gentleman the Chief Secretary for Ireland, although sympathetic, was not satisfactory, for he had said that he could do nothing towards expediting the work of the Land Court; and under the Bill they were now passing they might prevent all discussion, and stop the mouths of the leaders of the people. If the Government employed the Coercion Act for the enforcement of rents, they would have to deal with a state of things more serious than they would care to acknowledge, and would have to leave the people to their own dark devices and fierce passions. One of two results would be brought about from the organization to which he had referred—either the people, broken in spirit, would submit tamely to the action of the landlords; or else, driven to desperation, they would resort to crimes as extreme or terrible, if not darker, than any which had yet disgraced the annals of the country. The best means of meeting and anticipating that dreaded evil would be just and remedial legislation; and he sincerely trusted that the Government would make some statement as to their future intentions upon this Land Question, which would give the people of Ireland a certainty of relief at some future day. Such a Bill would be a greater and better Bill than the Prevention of Crime measure they were now discussing.

Mr. T. D. SULLIVAN said, that the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had congratulated himself on the fact that the new organization appeared to strike terror into the hearts of the Irish people and of their Representatives in the House. That the right hon. and learned Gentleman regarded as something new and satisfactory, though, as a matter of fact, it was precisely what the landlords had been doing for many generations, and what they had always been well able and willing to do. It was, indeed, just because the landlords had always had it in their power to hurt the people, that the people were to-day in their present frame of mind as regards landlordism and the system that sustained it. The new movement, said the right hon. and learned Gentleman, contrasted favourably with the operations of the Land League, in being above-board, and in the circumstance that its promoters published their subscription list. But the Land League was, in fact, as public an organization as ever existed. From the very first moment, it absolutely lived on publicity, and published its programme, its line of action, and the subscriptions it received, in every Irish newspaper. What, then, could the House think of the allegation made by the right hon. and learned Gentleman? According to him, the new organization aimed at the eviction of no one, and the tenants would be safe if they did not evict themselves. Mr. Kavanagh, however, contradicted that statement by recommending that when an isolated farm was to let, they should take possession of it only on condition that the whole townland should be leased to them, his intention evidently being that the land should be re-peopled with another population. But they could only get possession of the townlands by the slaughter of the people, and such a scheme could not be carried out without danger to the public peace in Ireland. If the Government had any care for the lives of the people, they would not treat the Circular in the way it had been treated in the House that night. Now, he always thought it the duty of all Governments to see that schemes of destruction failed; but the present Government had met that scheme of extermination and depopulation in an attitude of toleration, and with the declaration that if it were managed within the letter of the law it would not be interfered with. That was not the way to treat a scheme which amounted to a declaration of open war against the Irish people. But he blamed them for more than this, as he found that a distinct incitement to such combinations on the part of the landlords had come not many nights ago from one of the Members of the Government, the right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre), whom he charged with being the suggester and author of this perilous undertaking. Speaking recently in the House, the right hon. Gentleman had said that—

> "Personally, he thought there was nothing of greater importance than that the landlords of Ireland should press for their rights firmly and bravely, but with justice and moderation."

Mr. SHAW LEFEVRE asked the hon. Member to read the passage in which he (Mr. Shaw Lefevre) referred to the arrears of rent.

Mr. T. D. SULLIVAN said, he should be sorry to do the right hon. Gentleman any injustice whatever. He had quoted as much as seemed to have a perilous tendency in it.

Mr. SHAW LEFEVRE said, the hon. Member had omitted his remarks with reference to arrears of rent. It was quite true that he (Mr. Shaw Lefevre) had said in that speech that the landlords of Ireland were justified in demanding and pressing for their rights; but, over and over again, he said they should do so only with justice and moderation; and he indicated that they ought not to press for arrears of rent accrued in time of famine.

Mr. T. D. SULLIVAN said, he had fully intended to add that the right hon. Member put in that saving clause several times; but it really was included in the words he quoted; and the remark he had to make upon these words was that the landlords of Ireland were to be the judges of what was just and moderate in their own interests. The important point was the practical use the landlords had made of the advice he gave them to combine, and to press firmly and bravely for what they considered to be their rights, within limits of which they were to be the judges. At the time it was given, the advice struck him as having a very perilous import. He regarded this landlords' movement as due to the incitement conveyed in the reproach uttered by the right hon. Gentleman, that the landlords were too lenient; he said that in many parts of the country they were supine. That was his word. Just imagine the landlords of Ireland being supine about their rents! He told them it would be a brave thing to combine together to press for their high rents; and he afterwards said—

> "At no time was it of greater importance that there should be co-operation among landlords in this respect. He believed the Government were willing and able to protect them, and with this protection and co-operation on their part the main difficulties of the situation would be overcome."

The result was the formation of this Corporation. Mr. Kavanagh was the head co-operator; he had formed a Cooperative Society (Limited) for the purpose of exterminating the Irish people. The Prime Minister had made it a charge against the Irish Members that they were not facilitating the action of the Land Act, and that they interposed between the Act and the people in any way; but what had he to say when he was charged with so acting that this Act was proceeding at a snail's pace? Was it not from the Irish Members that had come the demand to expedite its action, to do something to bring under its protection the people who, though they might have sent in originating notices, would be paying exorbitant rents, until the Commissioners reached them? What relief did the Prime Minister offer in the cases of tenants evicted for the non-payment of rents, ultimately declared to be exorbitant? None at all. It was said that the new organization of the landlords would not be interfered with, while every organization of the tenants had been mercilessly suppressed. Yet surprise was expressed that the Irish people were not well affected to the Constitution under which they had the happiness to live! Little wonder that the Irish peasant did not sing "God Save the Queen," or "Rule Britannia," in Ireland, or that, under the Stars and Stripes, he looked back with no feeling of loyalty to the order of things he had left! Disaffection in Ireland, disloyalty, or whatever they liked to call it, in America, were the natural products of such laws and such proceedings as those he had referred to; and while such laws were in force in Ireland, the Irish people would be less than human, and unworthy of the name of men, if they did not ardently desire in their hearts to end, how and when they could, the reign of oppression and tyranny in their native land.

MR. T. A. DICKSON said, that, so far as his knowledge and observation went, and contrary to the opinion expressed by many hon. Members in that House, not only in the North, but in the South of Ireland, the Land Act was regarded as far from a failure. So far, at all events, as the North was concerned, the people there were determined to extract from that Act all the good that was in it, although they did not look upon it as perfect and complete. The great blot upon the Act was the delay in its administration. The right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan) had told them that about the year 1883 the great bulk of the cases now before the Courts would be decided; but he (Mr. T. A. Dickson) did not himself believe that when the year 1885 came, with the present rate of progress, the mass of business accumulating before the Courts would be dealt with. The great grievance to the tenants arose from the fact that during all the time they had to wait they were bound to pay what they called a rack-rent, and that the judicial rent did not date from the time of the originating notice. Again, nothing could be more disastrous to the best interests and to the peace of Ireland than the delay in dealing with arrears; and, as an Irish Member, he regretted most deeply that another Bill now before the House had occupied such a length of time as to keep back the Arrears of Rent (Ireland) Bill, the result of which was that, to his own knowledge, hundreds of tenants who, a month or a fortnight ago, would have come under the protection of that Bill, would be shut out from its benefits, because their six months' period for redemption was daily expiring. He had always been opposed to the Land League; but he was equally opposed to the newly-formed Landlords' League or Corporation, and, with regard to it, he believed it would never have been heard of if it had not been for the Arrears of Rent (Ireland) Bill. As far as the result of the Arrears of Rent (Ireland) Bill was concerned, in Ulster it had been most disastrous to the tenants, as the landlords were pressing for arrears in all directions. He regretted the formation of that Corporation, because he saw in the near future of Ireland, between those two opposing forces of the Landlords' League and the Land League, disaster and bloodshed.

Mr. J. LOWTHER said, that the discussion had wandered somewhat from the subject of the original Notice given by the hon. Member for Cavan (Mr. Biggar), which proposed to deal simply with the relations between Lord Kenmare and his tenants. It would not be becoming in him (Mr. J. Lowther), standing, as he did, opposite to the Colleagues of Lord Kenmare, to enter into any defence of his Lordship in his dealings with his tenants. He would only say that, as far as his knowledge went, derived from his experience while holding the Office of Chief Secretary for Ireland, he believed that Lord Kenmare's estate was one of the best-conducted estates in Ireland. He had been frequently brought into contact personally with that noble Lord's agent (Mr. Hussey), and he believed him to be one of the ablest, most courageous, and most conscientious men connected with the management of land in that country; but, passing by that subject, which, as his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) had just observed, had been treated as a mere peg on which to hang a series of speeches designed to meet an entirely different matter, he wished to make a few remarks on the question immediately before them. The hon. Member for Tyrone (Mr. T. A. Dickson) had joined in the remarks made from below the Gangway on that (the Opposition) side of the House, in deprecation of the effort now being made to reply to the suggestion thrown out, as he (Mr. J. Lowther) thought at the time, not very fairly by the Prime Minister, with regard to the apparent apathy of the landlord class in Ireland as to the means of helping themselves. He thought the right hon. Gentleman had not very fairly referred to the absence of self-help on the part of the landlords in Ireland, and that the new organization under notice was their reply to the remarks of the right hon. Gentleman.

Mr. GLADSTONE, interposing, said, that his remark had applied to the general body of the community, and not to the landlords specially.

Mr. J. LOWTHER believed the right hon. Gentleman had referred to the propertied and loyal classes in Ireland.

Mr. GLADSTONE said, he had referred to the general body of those who were disposed to obey the law in Ireland.

Mr. J. LOWTHER said, that, in his opinion, if the right hon. Gentleman would inquire more minutely into the composition of society in Ireland, he would find that the landlord class, and those who were associated with the ownership of land, formed no inconsiderable portion of the loyal section of the community; and the landlord class had determined that, at any rate, they would not remain under the stigma which they imagined had been cast upon their conduct. They had arrived at a sound conclusion, and had determined to deal with the difficulties that confronted them upon commercial principles, and quite apart from any political Party, by establishing a combination for the protection of their rights. He himself had ventured to think that this scheme might with advantage have been tried long ago; and he had no hesitation in describing it as far and away the best movement which had of late years been set on foot in Ireland. The hon. Member for Tyrone said that the Land Act had not been a failure; he (Mr. J. Lowther) would not be tempted by that digression into a reply, but would be satisfied with saying simply that he did not agree with that opinion with respect either to that Act, or with regard to the previous legislative effort made some 12 years ago. At any rate, it was now admitted that the attempts to deal with land tenure in Ireland had substantially failed. ["Oh, oh!"] The right hon. Gentleman would, at least, admit that they had not been wholly successful. They had been reminded, however, that the Land Corporation would facilitate the process of eviction. Now, he had often taken exception to the manner in which eviction had been spoken of by Members of the Government, and especially, upon a recent occasion, by the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan), who had even described it in certain cases as unpatriotic and inhumane. Evictions, the House had been told, were divided into two classes—evictions of tenants who could, but would not pay, and evictions of tenants who were unable to pay. The first class, they were informed on the authority of Ministers of the Crown, were fit subjects for eviction; the latter, it was said, should be treated with what was called indulgence. Hon. Gentlemen below the Gangway approached the subject in more forcible terms; but, at all events, the House was invited to draw a distinction between the two classes. But he (Mr. J. Lowther) said emphatically, with regard to a tenant who was absolutely and honestly unable to pay, that it was the duty of the landlord to suggest to him that he should select some other occupation in life. The landlord who became a party to such a tenant continuing in occupation of land under those conditions was himself a party to an arrangement which was contrary to the public advantage. He regretted to see the tendency in several quarters of the House to view a landlord who evicted a tenant who was other than a contumacious person as guilty of an act of hardship and, as the Chief Secretary expressed it, of cruelty towards Her Majesty's Government. Her Majesty's Government, in their present unenviable position, certainly could appeal with some reason to the generosity of their fellow-men; but he must protest against the doctrine that a landlord was even justified in retaining on his estate persons who were absolutely incapable, with advantage to themselves or the community, of conducting the business of agriculture. [*Laughter.*] Perhaps some hon. Members might think him out of date, and a "fossil," in referring to the view that the owner of land ought to have some regard for its efficient cultivation, for he was aware that the doctrines of political economy were at present in disfavour with the right hon. Gentleman the Prime Minister. Yet he ventured to think that a landlord who suffered his property to remain in the hands of an insolvent person was not discharging the duty he owed to society, for, in his opinion, it was to the benefit of society that the soil should be efficiently cultivated. But how could it be cultivated efficiently if landlords left it in the hands of insolvent tenants? Let them, therefore, put from their minds the doctrine of the cruelty of eviction, and he hoped that henceforth the House would hear less about it. Of course, if it involved starvation, that would be a different matter; but it did not. He admitted that if there was no other alternative for the insolvent Irish tenants except remaining in possession of the soil or entering the workhouse, there would, through the inaction of Government and Parliament in the application of the proper remedy, be, at any rate, the appearance of hardship in evictions. But there was another remedy which he had pressed upon the right hon. Gentleman, urging him not to allow it to rest; he referred to emigration. He confessed that at the time of its introduction into the Land Act, his opinion was that the clause was not inserted with any *bonâ fide* intention, and he had since discovered that his conjecture was only too true. If the Government were really desirous of helping those unfortunate tenants who, as they considered, were suffering a real hardship in being evicted, they should be prepared to offer some alternative to those tenants than the alternative between starvation and the paupers' roll. If Government would devote a portion of the Church Surplus towards giving tenants who could not meet their engagements facilities for obtaining a living elsewhere, instead of using it in objects which would be an inducement to dishonesty, by paying the debts of the dishonest, as well as of the unfortunate, he thought they would, in this instance, deserve the thanks of the community. He would refer the Government, not to the views of their political opponents, but to what had been said on the subject by writers like Mr. Tuke. Those writers had shown the true solution of the difficulty. His noble Friend the Member for North Leicestershire (Lord John Manners) had recently asked the Government whether emigration was among the subjects with which they proposed to deal, but had not succeeded in getting a satisfactory answer from the right hon. Gentleman. If the Government directed their attention to that subject, there might at last be one part of their Irish policy upon which they would be able to look hereafter with satisfaction. He hoped the result of this discussion would be that Government would desist from attempting to discourage landlords from the exercise of their legal rights, and that they would support the patriotic and public-spirited movement to which reference had been made in this debate.

SUPPLY—VOTES ON ACCOUNT.

OBSERVATIONS.

SIR HENRY SELWIN-IBBETSON said, he did not wish to detain the House; he rose simply to protest against a third Vote on Account being taken on the present Estimates as a matter of course. Hon. and right hon. Members opposite had, on former occasions, protested against even a second Vote, and even right hon. Gentlemen now on the Treasury Bench had so protested. The Government had strongly protested against the late Government in that respect, but were far worse offenders themselves. He never remembered Supply being driven to such a period of the Session, seeing that adequate discussion of the important questions involved was impossible.

MR. GORST said, that the present Government were only following the example of all previous Governments in this respect since he had a seat in Parliament. It was very rare that Members of the House had the opportunity of discussing in Supply the most important expenditure of the country. With regard to the Navy, for instance, it had been the practice with most Governments, but especially the present one, at the beginning of the Session to take a Vote for the Navy, and then leave the remaining Votes till the middle of August, in a weary and half-empty House. They appealed to the patriotism of the Members at the commencement of the Session, and got a Vote on Account; but after that nothing was heard till the end of the Session. The Navy Vote was really the most important of all the Votes, and he must protest strongly against the course which had uniformly been followed.

SIR H. DRUMMOND WOLFF said, that he also endorsed the protest of his hon. Friends, and had to complain that, contrary to opinions expressed in past years by the Prime Minister, the First Lord of the Admiralty, and head of the greatest spending Department, was not a Member of the House of Commons. Not only was the First Lord in the Upper House, but the Navy suffered from the kaleidoscopic manner in which successive Secretaries to the Admiralty had come and gone. First, there was the present Commissioner of Works (Mr. Shaw Lefevre), then the present Chief Secretary (Mr. Trevelyan). Both those right hon. Gentlemen had done their work admirably, and now there was a third. As soon as a Secretary began to know his work and to become competent, he was transferred to some other Department. The Secretary to the Admiralty, in his (Sir H. Drummond Wolff's) opinion, when, as was at present the case, the First Lord was in "another place," ought to occupy a more prominent and responsible position in reference to his duties in the House of Commons. He should occupy a similar position to that of the Secretary at War in old times.

MR. GLADSTONE: I cannot say that the hon. Member who has just spoken has added anything by his criticisms to what has been already said on the subject. He complains that the First Lord of the Admiralty, as the head of a great spending Department, should be in the House of Lords. The fact is that the vast proportion of the Business of the country is done in this House; but it must be remembered that a fair proportion of Ministers must sit in the House of Lords, and the exact distribution must be regulated according to circumstances. The hon. Gentleman complains of the selection of three Secretaries to the Admiralty in rapid succession; and although he was kind enough to speak of them personally in high terms, he said it proved the weakness of the administration of the Department. Now, I think, on the contrary, that it is an argument in favour of the Gentlemen who have been selected to fill the post, because it only shows that we have appointed such admirable men to be Secretaries to the Admiralty, that, when higher posts have fallen vacant, looking around for the best men we could get, we have felt it our duty to offer them to Gentlemen occupying that position; and, at the same time, we have taken the utmost possible pains to have the Admiralty dealt with efficiently. You cannot have the head of every Department in this House, and if it is inconsistent that the Secretary to the Admiralty should represent the Admiralty in this House, is it not also inconsistent that the Foreign Office and other Departments of the State should be represented here by an Under Secretary?

MR. GORST: They are not spending Departments.

MR. GLADSTONE: They may not be spending Departments; but I cannot admit that the distinction is of such a character as to require us to draw a line, and say that what is right in the one case is wrong on the other. The distribution of the Business of the Administration between the two Houses has always been a matter of considerable difficulty, and it is obvious that it cannot be placed under any inflexible rule. In regard to the protest of the hon. and learned Gentleman below the Gangway (Mr. Gorst), who preceded the last speaker, I admit that there is force in what he has said. I regret extremely the state of facts under which is has become necessary for us to take the discussions upon the Navy Estimates at intervals very widely apart; as to the year 1880, it must be remembered that that was an exceptional year, because there was a Dissolution in the early part of that year, and it was necessary that some of the Navy Votes should be taken before the Dissolution. But the criticisms of right hon. and hon. Gentlemen fairly apply to other years. It has not been possible, however, for the Government to apply itself at once to the business of prosecuting Supply, as was the custom in former years. The present state of things is due to the exceptional circumstances in which we have been placed—first, to the general obstruction to the efficient discharge of the Public Business in every branch and Department of the Public Service which has existed; secondly, to the special difficulty which arose this year of being compelled, not altogether by our own choice, to devote almost the whole of the available resources of the House to Irish legislation; and, thirdly, to the peculiar arrangements which at present exist for the conduct of Business, under which it has become almost a matter of absolute necessity to take Votes on Account, whereas, in former years, Votes on Account were comparatively rare. What was formerly the exception has now become the rule, and this is the second Vote on Account we have been compelled to ask for during the present Session. These exceptional Votes are, no doubt, a grave and serious matter, and I commend the subject to the consideration of the House; at the same time, I am bound to admit that the subject is influenced to a considerable extent by our system of accounts and balances, the date at which our financial year begins and ends, and the period of the meeting of the House. So long as these three conditions exist the difficulty will continue, and until we are able to make a change in the form of our general business arrangements, complaint, and I am afraid a good deal of reasonable complaint, will continue to be made. I have thought it right to make these observations, because it is only fair to make the admission that the present state of things is unsatisfactory, and that I should express an earnest hope that hon. Members will co-operate with the Government, with the object of mitigating the evil as much as possible.

SIR R. ASSHETON CROSS: With regard to the question of Votes on Account, I am glad to hear the Prime Minister admit the great difficulty under which any Government labours in the present state of our accounts, because it is a difficulty under which not only the present Government, but every Government, has laboured now for some years. Right hon. Gentlemen who now sit on the Front Ministerial Bench, when in Opposition, protested with great vigour against the late Government's request for Votes on Account.

MR. GLADSTONE was understood to say that he had never done so.

SIR R. ASSHETON CROSS: Other right hon. Members sitting on the Front Bench certainly did so, and the right hon. Gentleman the Prime Minister cautiously abstained from saying a good word for our proposals. The protest, indeed, was made with greater vigour because it was not made by a person in the responsible position of the present Prime Minister. My only object in rising now is to enter a protest against its being supposed that a second Vote on Account is generally necessary, although there can be no doubt that a first Vote on Account is required. This, however, is the second time this year we have been asked for a Vote on Account. I admit the extraordinary difficulties under which the Government are labouring, and I have not a word to say against their proposition; but I wish to enter a protest against the proceedings of this year being considered a precedent for future years, because I think the House would do wrong, as a rule, to put off the consideration of the Estimates until a time when it is impossible to discuss them fully.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £996,091, be granted to Her Majesty, to defray the Expense of Victuals and Clothing for Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1883."

Colonel MAKINS said, that, in reference to the grant for the Marines, some discussion took place on the last occasion the Navy Estimates were before the Committee; and he had then strongly urged upon the Government that some Member representing distinctly and directly the Royal Marines should be added to the Board of Admiralty. The Marines formed one-third almost of the fighting force of England, and he thought they ought to be directly represented on the Board that was to govern the whole of the Navy. The case of the Marines was a very peculiar one. The Force itself was peculiar in its constitution. It was attached to the Navy; the Naval Department drew the pay of the men and controlled them, and yet in every other sense they were soldiers. One of the difficulties at present attached to the Force was the slowness of promotion. He was not speaking of the Infantry; but in reference to the Marine Artillery the stagnation of promotion was really as great as ever. Officers who had served from 20 to 25 years had no chance of obtaining field rank until their period of service amounted to some 30 years. Whereas a captain in the Line obtained field rank after 18 or 20 years' service, a captain of the Marine Artillery had to serve 28 or 30 years before he attained that rank. There was no Force in the Service of so valuable a character in regard to which the promotion was so slow. It had, practically, a bad effect upon the Service. It rendered it unpopular, and in the future it would be found that young men of ability would pause before they selected that branch of the Service, when they found it in the highest degree probable that it would take so long a time before they could attain the same rank which, under similar circumstances, they would attain in other branches of the Service. It had another prejudicial effect in making the officers of Marine Artillery feel that they were filling an inferior position, and very naturally they did not see what reason there was why—as in all respects, both as regards pay, rank, and promotion, they enjoyed the same privileges as the Army—they should be so very much inferior in respect of promotion. There was another point to which he also wished to draw the attention of the Secretary to the Admiralty—namely, the appointment of Major Derriman to be adjutant of a Volunteer Corps at Carlisle. The effect of the appointment was that Major Derriman was acting in two capacities, and was drawing pay from both Departments. Either this officer belonged to the Army for the time being, holding, as he did, a Staff appointment, or he belonged to the Marines, in which case his pay could not be drawn from the Army Department. The Prime Minister had informed the House that in future officers in this position would not be eligible for Staff appointments; but he (Colonel Makins) could not understand why they should not be. It was a slur on the Department which ought to be removed. As the question was one of great interest, and affected the efficiency of an important branch of the Service, he hoped it would not be considered that he had been unduly taking up the time of the Committee by calling attention to it.

Sir JOHN HAY said, he hoped to have from the Secretary to the Admiralty a satisfactory assurance that it was not intended to carry out the proposal to reduce the Marine Force. The Estimates proposed a reduction of that Force by 600 men. He did not know what the Force was at this moment; but he believed that it was about 200 under the proper strength, and the proposal was that it should be gradually reduced by 600 men. At present the force numbered somewhere about 13,000, and ought to be at home ready for any emergency; but it had been reduced by detachments sent to Ireland. That being so, he thought it would be unwise, in the present state of our foreign relations, to continue the reduction of the Force, as it was by no means too large for the services it might be required to perform. He understood that the reduction had taken place, not because the men were not wanted, but because money was wanted in other directions. The result was that the pay of certain officers had been increased, and the money had been saved by reducing the strength of the Marine Force. He had good authority for saying that this was more than an accidental circumstance, for the First Lord, in "another place," had himself stated this as the reason. By reducing the Force, money had been obtained for increasing the pay in other directions without involving any increased charge upon the public general service. Looking at the fact that the service of the Marines might be required at no distant date, he thought it was not desirable that the Government should insist on the reduction of the Force, but that it should be increased to the full strength at which it stood last year. He desired to thank the hon. Gentleman the Secretary to the Admiralty upon what he perceived to have been the result of the recommendations he had made as to the lighter draught of the ships required for service in the Mediterranean. The Fleet at present in the Mediterranean consisted of 11 vessels, four of which were outside the harbour of Alexandria, unable to get in on account of the low draught of water, two were inside the harbour, and five were at Malta, and were about to be supplemented by the *Penelope*, the *Orion*, and the *Belleisle*. He was also glad to hear that the *Cyclops*, the *Gorgon*, and the *Hydra* were being got ready for the purpose of reinforcing the Fleet; but he was afraid there might be some question whether those ships would be considered sufficiently safe to make the voyage. Personally, he had always doubted their seaworthiness, and he was still more confirmed in the opinion he had expressed when he found that vessels of that particular draught of water were not more readily employed in the service; and he believed the cause to be that it was not considered safe for them to undertake the voyage. He regretted that the *Audacious* was still undergoing repairs, or she might have been made available from her light draught. He understood that she would not be available for the next two months. He was glad to see that the *Hotspur* was now being got ready, and he congratulated the Admiralty upon their now adding to the Force in the Mediterranean ships that would certainly be of some service there. Looking at the events which had arisen, he hoped that the recruiting for the Marines would not be stopped, and that that famous Force would be maintained not only efficiently, but in sufficient numbers for the Public Service.

SIR MASSEY LOPES said, he regretted that the discussion of the Naval Estimates had been postponed so long. When they were first brought forward by the right hon. Gentleman the present Chief Secretary for Ireland, it was promised that there should be an opportunity for a full discussion upon them. Three months had now elapsed, and they had had no opportunity of considering the Navy Estimates; and at that hour at night (12.15) it was scarcely to be expected that they could deliberately consider these matters. He regretted the unavoidable absence of his right hon. Friend the late First Lord of the Admiralty (Mr. W. H. Smith). In reference to the Royal Marines, to which his right hon. and gallant Friend (Sir John Hay) had just alluded, he was glad to find that the prospects and condition of that Force were to be improved. The stimulus to promotion in commissioned ranks could not fail to be of service. It was also satisfactory to find that the pay of the non-commissioned officers was to be increased. This was both just and politic, and assimilation, when on shore, to the status of the Line regiments was reasonable and right; but he must regret that, in order to confer these advantages, there had been a corresponding reduction in numbers. It was quite true that the late Government reduced the number of the Marines by 1,000; but it was understood that that was the lowest estimate which ought to be made in reference to them, and he very much regretted that the Lords of the Admiralty had now decided upon reducing the strength of the Force by 600 more. By so doing, they were losing what was equivalent to a whole battalion of well-trained and well-seasoned men — men who at any moment would have been able to assist the country in any emergency, and might be relied upon at a moment's notice. True, there were not so many Marines in peace time serving afloat; but that body could always be depended on to supplement the Land Forces, and were a great auxiliary to the Army. The late Secretary to the Admiralty, when he brought forward the Estimates, made a very able statement; but the arguments adduced by the right hon. Gentleman were arguments rather in favour of increasing the Force than of reducing it. The right hon. Gentleman told the House that the number of men on board of a ship had been very much reduced during the last 20 years. He believed the right hon. Gentleman compared the years 1862 and 1882. No doubt the statement of the right hon. Gentleman was quite true; and though now-a-days they did not require the same number of bluejackets, so large a proportion being artificers and stokers, on board of a ship, he thought they must all admit that if at any time they had to land a force they would be rendered more dependent upon the Marines. He recollected the right hon. Gentleman the late Chief Secretary giving the authority of Lord St. Vincent, that if ever the hour of real danger should come to England, the Marines would be found of the utmost service to the country. The right hon. Gentleman quoted other high authorities to the same effect, and it was a well-known fact that, whenever our war vessels were called upon to send men ashore, the first to be told off were the Marines. But surely these were arguments for retaining the Force at its ordinary strength, rather than reducing it. But what was it the Board of Admiralty had done? It was quite true that they had improved the condition of the general Service at a cost of £24,000 per annum. But in order to improve that condition they had reduced the number of Marines by 600. He did not hesitate to say that the House of Commons, and the country at large, would have been perfectly willing, and even anxious, to pay £24,000 per annum in order to improve the position of the Marines; but they would not wish to improve that Service by reducing the strength of the Force. It was impossible, at the present moment, to exaggerate the importance of the Royal Marines. The present Board of Admiralty had also improved the position of the Engineers; but though he regretted to say that they had done it upon the same principle, he did not find so much fault with it. It was rather, he thought, a politic movement. Her Majesty's Government were inclined to regard the artificers as being in many instances quite able to do the work of engineers. He was not inclined to object to that view, and therefore he did not find fault with what the Government had done; but in regard to the Engineers generally he thought it was a mistake to reduce the strength of the Force, especially at the present moment, when everybody felt anxious owing to the complicated state of European affairs. He hoped the Secretary to the Admiralty—if it were found necessary to land Marines at Alexandria—would fully consider what number of men our ships would be able to land. Of course, he did not expect the hon. Gentleman to reply to that question; but he wanted the Secretary to the Admiralty to tell them that the Admiralty had decided to recruit up to the point that it was deemed necessary to retain, and that the strength of the Force should not on any account be allowed to go below it. He again wished to express his regret at the absence of the late First Lord of the Admiralty; but he was authorized to state that these were the views which, if his right hon. Friend had been present, he intended to express, no doubt with greater effect than he (Sir Massey Lopes) had been able to express them.

Mr. GORST asked the Secretary to the Admiralty what changes the Admiralty proposed to make in the nomination for the appointment of naval cadets? His hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) had called attention, a short time ago, to the condition of the administration of the Navy, and to the pressure which was constantly brought to bear upon it. Since that time the late Secretary had been appointed to another position, and the misfortune was that his Successor might not feel himself bound to carry out the engagements entered into by his Predecessor. Last Session a very interesting debate took place on the subject of naval cadets, and great hopes were held out by the late

Secretary to the Admiralty that, in the first place, the competition for the appointment of naval cadets would be thrown open in the same manner as the appointments in the Army, and that the appointment would not be retained any longer as a piece of patronage by the First Lord of the Admiralty for the time being. He should like to know whether any steps had been taken to fulfil the expectations held out by the late Secretary to the Admiralty that something would be done in this direction? He failed to see why, if officers of the Army could be obtained by open competition, a similar course might not be pursued in reference to the Navy. Seeing the Secretary for War in his place, he would ask him to say whether any objection was entertained to the system of open competition in the Army? And if they could get officers for the Army in that way, why on earth should they not obtain officers in the Navy in the same manner? The same rule ought to be followed throughout the Public Service, and all appointments should be thrown open to public competition. Another hope or prospect held out by the late Secretary to the Admiralty was that the Admiralty would consider the desirability of appointing naval cadets of a more advanced age. At present, many of the naval cadets appointed were mere children taken out of the public schools, and placed in institutions where they received very indifferent teaching. Many of these schools were of an inferior character, and these boys learned less than they would learn anywhere else, and their future ability as naval officers was very little advanced. Two years ago, Lord Dalhousie, then a Member of the House of Commons, made an interesting speech upon this subject, in which he condemned the system in terms which no one of less experience than himself would have liked to use. He believed the opinion expressed by Lord Dalhousie was shared by a large number of naval officers of experience, and there was a general impression that it would be much better to appoint naval officers of more advanced age—say, from 16 to 17—who would be able to go to sea when appointed. No other country appointed children to be naval officers, and he wished to know if any intention existed on the part of the Board of Admiralty to alter the age at which naval cadets were appointed? That was the second point to which he wished to direct the attention of the Secretary to the Admiralty. The third point had reference to a question on which he understood that a distinct pledge had been given. He had called the attention of the late Secretary to the Admiralty to the fact that all the public schools of the country were examined by a Syndicate sent from Oxford or Cambridge, and he had suggested that the naval schools for the training of officers of the Navy should be subjected to a similar examination. He believed that the education given on board such ships as the *Britannia* was not of the highest class, and it was most desirable that there should be an examination by a Board of Examiners from Oxford or Cambridge, who should present a Report, so as to enable the House to form an estimate of the value of the instruction given.

Sir HENRY FLETCHER said, that on a previous occasion when the Navy Estimates were brought forward, he had brought two subjects under the notice of the Government. One had reference to the Royal Marines, and up to the present moment no definite answer had been given to the question he had asked. That question was one which he had put to the present Chief Secretary for Ireland when Secretary to the Admiralty (Mr. Trevelyan)—namely, whether a general officer would be appointed to superintend the management of the Royal Marines at the Board of Admiralty? He had not received any reply from any Member of the Government up to the present time. The Royal Marines now consisted of a body of men something like 13,000 in number, and he had argued most strongly, on the previous occasion to which he referred, that they were a body of men who ought to be represented upon the Board of Admiralty by a responsible Minister; and he would ask most earnestly whether any decision had been arrived at by Her Majesty's Government upon that point? He was of opinion that, considering all things and having regard to what might take place, he was entitled to have an answer to that question. He also wished to urge, as strongly as possible, the points which had already been mooted in the course of the discussion in connection with the reduction of the Royal Marines in the present year. A short time ago he had spoken in the most emphatic terms against the proposed reduction of the Force by 600 men, and he thought the events which had lately occurred proved most conclusively that the reduction which had been in contemplation, and which he hoped the Committee would be assured had not yet been carried out, would be a most undesirable one. The Royal Marines were a most efficient body of men, and he had urged in the month of February that if any emergency were to arise, such as that which had arisen within the last few weeks, it would be necessary to rely upon the services of this important Corps. He was glad that the question had been referred to by other hon. Members, and, if not too late, he sincerely hoped that the reduction would not be carried out. There was also another question which he had brought before the House on a previous occasion, and upon which he had obtained no answer. He had asked several questions last year with regard to the Royal Warrant which was issued in connection with the Army, and also the Warrant for the re-organization of the Marines; but he had received no definite reply. In the month of June last year the present Chief Secretary for Ireland said that the delay in the production of the scheme for extending the Royal Warrant for the Army to the Royal Marines would not affect the promotion or pay of any one, and that all the changes would date from the 1st of July, 1881. He humbly submitted that that engagement had not been carried out, because the retirements in the Royal Marines were not gazetted until the month of December, 1881, and it would not involve a very great charge upon the Exchequer if the engagement even now were adhered to. There were only a very few officers interested in the matter; but to those few officers it was a question of great importance, seeing that their prospects, both in regard to pay and promotion, had been very much impaired, owing to their not having been gazetted on the 1st of July, 1881, in accordance with the engagement made by the Government. Instead of their having been gazetted at that date, they were not gazetted until December, 1881, and certain officers who ought to have been promoted to the rank of lieutenant colonel were passed over by several hundred officers in the Army. That was a matter of very great importance to officers who were quartered in garrison in Ireland. The undertaking the House had from the Secretary of the Admiralty last year was that nothing should interfere with the promotion of these officers, and that they should not suffer in consequence of the delay of the re-organizationof the Royal Marines. He hoped that the present Secretary to the Admiralty would be able to give the Committee some assurance that the claim of these officers had been taken into consideration, and that justice would be done to them. It was a very great hardship that any of these officers should be passed over, after the assurances which had been given by the late Secretary to the Admiralty. The only officers affected were two lieutenant colonels, two majors, three captains, and one or two quartermasters, so that the expense of carrying out the arrangement proposed by the Government would not be very great. He would not say anything further upon that subject. He did not ask for a positive answer that evening; but he did hope that the Secretary to the Admiralty would take the matter into consideration, if he was unable to give an answer now. He would remind the hon. Gentleman that several months ago a promise was made that the matter should be taken into consideration, and that a reply should be given. In regard to the proposed reduction of the Royal Marines, he would only say that he looked upon it as a great mistake to reduce a Force which would be most useful and effective in the present emergency, especially when it was well known that the reduction was only made from motives of false economy, to provide retiring pensions for officers.

Captain PRICE said, it was now more than three months since they had the statement of the Secretary to the Admiralty. The first place in that statement had been given to a consideration of the claims of the Marines, and as the Committee had already heard something from more than one Member about that Force, he should like to occupy a few minutesin supplementing what had fallen from other hon. Gentlemen. First of all, he would endorse what had fallen from the hon. Member who had just sat down as to the necessity of giving a seat at the Board of Admiralty to an officer of that Corps, who would more fully represent the interests of the Marines than they were represented at present. A fuller representation was necessary, as they had too long been accustomed to see the claims of the Force far from being liberally dealt with by the Board. The Force had been shuffled about from one Service to the other. At one time it had been convenient to look upon it as part and parcel of the Army, and at another time to look upon it as part and parcel of the Navy; so that, between two stools, the Marines had always fallen to the ground. Besides this, he would venture to suggest to the present Secretary to the Admiralty, that in all cases where a Marine was being tried by court martial on board ship, it was desirable that one member of the court should be a Marine officer, and at present that was not the case. He had intended, during the progress of legislation last year, to have taken action in order that some provision should be made for this, but circumstances had not favoured him. If the hon. Gentleman the Secretary to the Admiralty would look into the question, no doubt he would find that there was considerable disposition amongst the authorities to agree to his proposal, and it was only fair that such should be the case. They all liked to hear of a man being tried by his peers, and it was constantly the case that Marines were tried by a court martial consisting entirely of naval officers, and that questions cropped up before the court that could only be properly understood and decided by officers of the Corps to which the prisoner belonged. He remembered a complicated case not very long ago, that of Lieutenant Woods, a Marine officer, who was tried within a stone's throw of a number of Marine officers at Plymouth, and yet was tried entirely by naval officers. The injustice of this case was felt by not only the Marine, but the Naval officers as well, and, in fact, by the whole Service. This was felt to be a considerable grievance, and he did not think there would be any difficulty in removing that grievance, because on most of the Naval stations — indeed, upon all of them, except, perhaps, the Australian and Pacific stations—there were Marine officers of the rank of captain. There were no Marine officers of that rank on the two stations named; but in these places the force only numbered some 250 men in the one case and 180 in the other. A great deal had been said on the question of a reduction of the Force, and he agreed with what had fallen from hon. Members. It was humiliating, when they came to think of it, that when a grievance had existed for years, and had been admitted by Lord Northbrook in the other House and the late Secretary to the Admiralty (Mr. Trevelyan), it should be stated to Parliament and the country that it could only be remedied by a reduction in the efficiency of the Force. That reduction had taken place to the extent of 600 or 700 men. The late Secretary to the Admiralty had endeavoured to reconcile the House to this state of things by saying that in these days the number of Marines on board ship was very much smaller than it used to be, and if they were to send more than one-half the force on board a vessel than they used to send, they would be crowding the ship, and putting more than the proper complement of Marines on board. He did not think that, in these days, it was necessary that the Marines should be at sea half their time. It was necessary some time ago. Everyone must admit that seamanship occupied a very much inferior position now compared with gunnery than it did some years ago. There was not such a necessity now to "salt" the Marines, to use a term in common use 20 or 30 years ago, as there used to be. He should think if one-third of the Force was at sea at a time it would be quite sufficient. No doubt, it would be desirable to have more of them at sea at one time; but the advantage they would derive if they had only one-third of them at sea at a time in having a larger force at home would compensate for any disadvantage. It was said this Force was one of the finest forces in the whole of Her Majesty's Service; and when he had advocated an increase of pay, or an increase of pension, or any other advantage to the Corps, he had been told that they must not compare them with their comrades in the Line. They were told that the Marines had certain advantages which compensated for the deficiency in pay. Two or three years ago there was a large increase given to the Line, but the Marines did not share in it. They were told, when they drew the attention of the Government to it, that the Marines had certain advantages that the Linesmen had not. Well, this was a question he did not wish to go into, because it involved the consideration of many complicated details; but they must not forget that the Marine was a superior man to the Linesman. He did not wish to be invidious, but that had always been considered to be the case, and it was the case at the present moment. Last year he obtained a Return from official sources showing one or two particulars with regard to this matter. He had asked for particulars as to the average length of service of the Marines serving in the garrison at Plymouth, and other particulars, as compared with the average length of service of the Linesmen serving in the garrison at that port—the men of the 23rd Regiment and the 13th Regiment. He found that the average height of the Marine private was 5 feet 7 inches, and that of the private in the 23rd and the 13th Regiments 5 feet 6 inches. He found that the weight of the Marine private was 159 lbs., and that of the private in the 13th Regiment 154 lbs. Then the average age—and this was an important matter—was in the Marines 26 years, and in the 13th Regiment only 22 years, and in the 23rd Regiment only 19¾ years. Here, then, they had the private of the 23rd Regiment, who was in years a mere boy, getting higher pay than a Marine private 26 years of age. Then as to the average length of service; in the case of the private of Marines it was eight years, whilst in the case of the private of the 13th Regiment it was three and a-half years, and in the case of the private of the 23rd Regiment only two and a-half years. He had asked, also, for information as to the percentage which had passed the School Standard. He could not get the record as regards the private of Marines, but he did with regard to the corporals and sergeants. In the Marines all had passed the School Standard, but in the 23rd Regiment only one-half the sergeants, or, strictly speaking, 51 per cent and 75 per cent of the corporals had passed the Standard. These were a few facts which would go to show that the Marine was not only worthy of his hire, but was a superior man, and a man better worth paying than the Linesman. He (Captain Price) had asked a question the other day about the pension of colour sergeants in the Marines. He dared say the Secretary to the Admiralty (Mr. Campbell-Bannerman) would remember the answer he had given. His (Captain Price's) point was that the pension of colour sergeants was 2*s.* 3*d.* in the Marines and 2*s.* 6*d.* in the Line.

Mr. CAMPBELL-BANNERMAN: The maximum in each case.

Captain PRICE: Yes; and the hon. Member had answered him by saying that it had been proposed that, in this respect, the Services should be assimilated; but they had not been assimilated, for the reason that the Greenwich pension was enjoyed by the Marine and not by the Linesman. The hon. Member should remember, however, that the Greenwich pension was not paid until a Marine had reached the age of 55. In the Line the colour sergeant might retire at 38 or 39 on his 2*s.* 6*d.* a-day; but the Marine sergeant only got 2*s.* 3*d.*, although, if he should live until the age of 55, and should be fortunate enough to satisfy certain officials, he would come in for another 3*d.* The hon. Member, he thought, would see his point. There was another thing in connection with this that he wished to point out, and that was that it was only upon the Marine showing that he was in poor circumstances that he was entitled to the Greenwich pension at all. Of late years it had grown the practice to make use of the Greenwich Fund to supplement the Imperial Fund in the same way for paying the Navy. When it suited the Admiralty, they said—"Oh! the Greenwich Fund is a sort of charity. We cannot give it to anyone until they have attained the age of 55. If we find his circumstances are pretty good, we do not give it at all." And when it suited the Admiralty, on the other hand, in reply to hon. Members who stated that the Marines were not paid as well as the Line, they said—"Oh! but there is the Greenwich Fund from which they derive extra pension." There was one more point with regard to the Marines to which he wished to call attention, and that was the pension of the widows of warrant officers. In the Army warrant officers' widows got a certain pension; but in the Marines that was not the case, and he was at a loss to know why it should not be. He did not know whether the Admiralty had any intention of making a better arrangement with regard to the pension of these widows; but he hoped they had, and that something would be heard about it very shortly. The next subject which had been touched on by the late Secretary to the Admiralty (Mr. Trevelyan) was the question of the naval engineers. The hon. Member had gone very fully into that matter. Well, on behalf of his (Captain Price's) constituents, he must thank not only the present Secretary to the Admiralty (Mr. Campbell-Bannerman), but the late Secretary to the Admiralty for what had been done with regard to this branch of the Service. The present Admiralty had carried out very loyally the plan which was, he believed, sketched out by the last Administration. He did not know whether they had gone the full extent of what was sketched out, because he did not exactly know what the plan had been; but with regard to the engineers, he thought the late Secretary to the Admiralty had made a little too much of what had been done, having told the House in very distinct terms that they should now consider that the engineer officers were by no means a badly paid class of men. The hon. Member had given them certain comparisons which he had no doubt had a great deal of weight with the House; but he thought that those who were fully conversant with the matter would not look upon the comparisons given as altogether satisfactory. He was sorry the late Secretary to the Admiralty was not present, because he should have to quote a little from what the right hon. Gentleman had said. On a previous occasion he told the House that he must compare them, in the first place, with the executive officers of the Navy; and he went on to say that none of those officers, except a captain, received a higher rate of pay than the maximum of the engineers. But the right hon. Member had neglected to tell them how difficult it was for an engineer to get his maximum, and that was one great grievance that these officers had. There was a clause in the Regulations dealing with the pay and pensions of the engineers, which provided that it was only on an engineer officer obtaining the rank of chief engineer that he should begin to count certain services for pay and pension. He must serve 11 years as chief engineer before he could count the whole of the time he had served as an engineer. But then there was another provision, which was that at the age of 55 a chief engineer should be compulsorily retired. Now, as the average age at which a man became a chief engineer was from 42 to 44, the House would see that it was almost impossible for an officer to have served 11 years so as to count sufficient time to enable him to a full pension. If he did not count the whole 11 years—if he lost even a month—he had to forfeit a considerable amount of pension. The half-pay of a captain was 12*s.* 6*d.* a-day on promotion, and the full pay of a chief engineer, on promotion, was 13*s.*, so that the half-pay of a captain was almost identical with the full pay of a chief engineer. Then with regard to commanders—and the House would remember the age and length of service entered very materially into these comparisons—the average age of a commander for promotion was 35, when he had seen 12 or 13 years' service, and his pay, on promotion, was £1 1*s.* But the chief engineer did not get more than 17*s.* until he had completed 28 or 29 years' service, and was 50 years of age. Then a comparison had been made with the navigating lieutenants, who were Executive officers. The navigating lieutenant was about 26 years of age on promotion, and he got 12*s.* a-day. An engineer got 11*s.* per day after six years' service; but by the time he was promoted to be chief engineer he received 13*s.* a-day, while the navigating officer was in receipt of £1 a-day. The next comparison which had been made was with the Civil branch of the Service. The hon. Member, he thought, had spoken about the paymasters. The paymaster of a troopship or a flagship might be receiving £693 a-year, whereas a chief engineer could not receive more than £470 a-year. He must apologize to the Committee for going into these details; but the ex-Secretary to the Admiralty (Mr. Trevelyan) had gone into them at considerable length. The right hon. Member had said, turn to the Merchant Service. They found that the chief engineer on board of a man-of-war got as much as £400 to £470 a-year, whilst a first engineer on board one of the great packet ships was paid at the rate of £18 to £22 a-month. But the late Secretary to the Admiralty had taken those ships which served in the home trade, where engineers were paid at about that rate. This did not seem to be the fact when they came to some of the foreign trades—China, for instance. In the China trade, the first engineer got from £40 to £70 a-month, or about three times the sum mentioned by the late Secretary to the Admiralty. And, more than this, the mess of these officers in the Merchant Service was paid for them. Their linen was found, and he thought he was right in saying that they also had a right to trade. They might have an interest in the cargo, and, in many cases, they also got a bonus from the consignees of the cargo; so that the engineers were much better off in the Merchant Service than in the Navy. The chief engineer on board the *Great Eastern* got £1,000 a-year. No doubt, he should be told that that was an exceptional case, and so it was; but it must be recollected that though the duties of this officer might be exceptional, and very responsible, they certainly could not be said to be more responsible than those of a chief engineer on board one of our first-class men-of-war. The duty of an officer on a ship of that kind must be far more responsible and far more important than the duty of chief engineer on board the *Great Eastern*. Any engineer in Her Majesty's Service would be fit to place on board a Cunarder, or any other of the fine ships that traded across the Atlantic. There was, he should think, hardly an engineer in Her Majesty's Service who would not be able to take charge of the engines of any merchant ship; but if the first engineer of an Atlantic Liner were to go on board a man-of-war, it would take him months to learn all the duty that a chief engineer had to do. He thought, therefore, that the Admiralty had very much underrated the duties and importance of this class of officer. Though the thanks of the Service were due to the Government for what they had done, he thought they had not fully appreciated what they were obliged to do in justice to that Service. There was another question to which he certainly ought to draw attention, besides the question of pay and pension, and that was the question of messing. A great deal had been done in that direction, and, no doubt, they could not do all that was desirable at once. They could not make all the engineers members of the ward-room mess at once, although that might be done at the Royal Naval College at Woolwich. Speaking as a naval officer, he saw no objection whatever to this mess being thrown open to the engineers. At Woolwich the mess was a very large one, and any difficulties of a social character which might exist in an arrangement of this kind would be felt very much less than anywhere else—much less than they might be felt on board ship, where there was a small mess. He now wished to refer to another matter, and that was the case of the engine-room artificers. Those were a very important body of men, and were becoming a very large body. It had been the policy of the late Administration to increase very considerably their numbers, and the men of this body were, to a very large extent, taking the place of the engineers. No doubt, that was very good policy. It had resulted in considerable economy, and not, it seemed to him, at the expense of efficiency; but, having done this, they ought to go a little further in the direction of bettering the position of these "non-commissioned officers," he thought the late Secretary to the Admiralty (Mr. Trevelyan) had called them. He called attention to this matter entirely with the view of increasing the efficiency of the Service. The position of the engine-room artificers ought to be a much more responsible one than it was, and he thought it would tend very much to increase the efficiency of that branch of the Service if men received the rank of warrant officers. The experience he (Captain Price) had had in the Service led him to believe that that step would have the effect of largely increasing the efficiency of the Service. These men had to undertake the duties and responsibilities that used to be borne by engineer officers. It was now the case that in almost every ship in the Navy, especially in the smaller ships, the engine-room artificers occupied a most superior position. They were very often in possession of the engine-room. During a certain part of the day they were in sole charge of the engine and boilers, and the whole machinery, in fact, of the engines; and, certainly, if he were commanding a ship in which one of these artificers was in command of the engines whilst the ship was under weigh at sea, he should feel himself relieved from much anxiety if he knew that the man had a superior rating to that which was allowed him now. An improvement in the position of the artificers would tend to a better carrying out of discipline. He was convinced of that. Being in the position of a warrant officer, he would command greater respect and insure greater obedience from those under him; and upon obedience he thought depended not only efficiency, but absolutely the safety of the ship and the lives of those on board. Not only disobedience to a command, but also the slightest hesitation or slowness in carrying out a command by a person in charge of the engine-room, must very often cause a serious accident—he did not think it would be too much to say that it might often cause the loss of the ship and of all on board. He really thought the Admiralty ought to take the matter into their consideration. The change he proposed would not be an expensive one to carry out; but if they were to put these men in the position of warrant officers, he would guarantee that they would be able to perform their duties much better, and that the extra expense would be very little, if any. The Admiralty might say they could not find cabins for these men. Well, they might go without cabins until such time as they could be supplied; and, at all events, they might, in other respects, be treated as warrant officers, wearing the uniform of that class. He had already detained the Committee too long, and he, therefore, would not trouble them with any further observations.

Mr. MACLIVER said, he supported the views of the hon. and gallant Member who had just spoken. It would have been much better, he thought, if the Secretary to the Admiralty had not held out hopes to the chief engineers 12 months ago that their position would be improved—it would have been much better if he had not propounded a scheme that did not benefit them at all. What they required was that they should be placed in the same position, age for age, and service for service, with Executive officers. If they obtained that, they would be satisfied. The scheme was in such an indefinite state, that the chief engineers had good grounds to complain. He also supported the view of the hon. and gallant Member opposite with regard to the engine-room artificers. He thought they were entitled to some consideration, and that it would be a great advantage if they were made warrant officers.

Sir H. DRUMMOND WOLFF said, that after the remarks of the hon. and gallant Member (Captain Price), he had very little to say about the engineers; but there was one point in the Memorandum he held in his hand to which he should draw attention, and one paragraph which he should read. The paragraph was as follows:—

> "In addition, the engineer officers would earnestly request that all time served as engineer after the attainment of eight years' seniority in that rank should be allowed to count as 'senior service.' The 11 years which have to be served in the 'senior rank' before the whole of their 'junior service' is allowed to count towards increase of full, half, and retired pay, is a very great hardship, and in many instances deprives officers of £100 a-year in their retiring allowance. Lieutenants—the relative rank of engineers over eight years' seniority—begin to count their senior service from the date of promotion, at from 21 to 25 years of age; whereas the engineer officer only begins to count his senior service from the date of promotion to rank of chief engineer—relative rank of lieutenant over eight years—or at the age of 38 to 44 years. It seems only just, therefore, that these officers—chief engineers—should be permitted to count as senior time all service from the date of attaining the relative rank of lieutenant."

This point had been urged very strongly by two hon. and gallant Gentlemen, and he would not go at any further length into it. He hoped that the Secretary to the Admiralty would consider the case of the engineers, and see how far the Board of Admiralty could add to the concessions made in the time of his Predecessor. There was another point to which he would like the hon. Member (Mr. Campbell-Bannerman) to devote his attention—namely, the question of pensions awarded to naval schoolmasters. The answer given to him some time ago by the hon. Member's Predecessor (Mr. Trevelyan) was that the question of the pensions of seamen's schoolmasters was under the consideration of the Board of Admiralty, and had been referred to the Committee now sitting on the subject of Pensions, and that until their Report was received no further information could be given. He did hope the hon. Member would be able to see his way to meet the views of the naval schoolmasters, and place them in the position they wished to be in with regard to pensions. Another question related to engineer artificers. That had been fully treated by his hon. and gallant Friend, in whose remarks he fully concurred. Then there was a question relating to the first-class petty officers of the Navy, who appeared to have been rather overlooked by the Admiralty. The pay of the first-class petty officers was 2*s*. 2*d*. per day, with certain privileges if they were divers or torpedo men; but the daily pay of a sergeant in the Army was 2*s*. 6*d*. in the Guards, 2*s*. 8*d*. in the Cavalry, 2*s*. 4*d*. in the Infantry, 3*s*. 2*d*. in Garrison Artillery, 3*s*. 6*d*. in the Engineers, and 2*s*. 8*d*. in the Hospital Corps, and the sergeants had other privileges which were not accorded to a petty officer in the Navy. Then there was another question which he had raised last year, but with which he would not trouble the Committee now at the same length—namely, the question of pensions to widows of Marines and seamen. That question had been brought before the Admiralty on many occasions by officers of high rank in the Navy; but it had not been sufficiently considered. He himself had mentioned the cases in which the widows of seamen, who had lost their lives in emergencies, had received pensions, whereas the widows of others who lost their lives in connection with events of not less importance received no pension at all. The Admiralty had various sources of revenue out of which these pensions might be given to the widows of Marines and seamen without throwing any great cost upon the country; and he earnestly asked the Secretary to the Admiralty to turn his attention to this question, as it was one which excited great interest in the Service, and had attracted the notice of officers of high rank and distinction, and was one which everybody with any knowledge of the Navy felt ought to be urged on the favourable consideration of those to whose hands the Service was committed.

Lord HENRY LENNOX said, he would not, at this hour of the night, trouble the Committee with any lengthened observations on the naval policy of the country; but he wished to express his concurrence in the protest of his hon. and gallant Friend against the recent reduction in the strength of the Royal Marines. He objected to that as a matter of policy, but he thought it was still more objectionable for the reasons put forward in support of it—namely, that it was necessary to give a certain number of men increased pay, and therefore the number must be reduced to provide the amount necessary for that purpose. He wished also to protest against the reduction of Marines which had taken place. Events at Alexandria and in the Mediterranean were the strongest confirmation of the folly of that reduction at present. The Marines were admitted by everybody who knew anything about the subject at all to be the best landing force that any country could have, and our Marines could be landed and do work which soldiers, whatever might be their general merits, could not do as well; and he believed that if Sir Beauchamp Seymour had had a larger force of Marines during the recent riots at Alexandria, the British Consul would not have been wounded, and a naval officer would not have been killed. Then there was another point—namely, the present condition of this country in regard to its iron-clads. We were at present embroiled in a dispute not with a great European Power like France or Germany, but with the Egyptians, or rather with a rebellious officer of the Egyptian Army; and what was the condition of this country? If he was not mistaken, there was at this moment only one iron-clad in commission this side of the Rock of Gibraltar, and that was one which was almost admitted to be unseaworthy three years ago. It was true that we had three iron-clads in commission, and a ship or two at Devonport; but if it was necessary to commission the latter, where should we find the Marines to man them? He should like to ask the Secretary to the Admiralty to say what, after the present arrangements had been completed, would be the number of Marines available at Devonport, and after the orders which had been mentioned in the newspapers had been carried out at Chatham, what would be the force of Marines available at Chatham? He asked that because he saw in the newspapers that the French iron-clads at Toulon were ready for sea, and that 13,000 Marines—or 500 men more than the whole of our Marine Force—had been drawn from the Northern ports of France and collected at Toulon, in order to man these ships as a landing force in the event of their being required at Alexandria. He should be very glad if the hon. Gentleman could deny that Chatham and Devonport, after the present orders had been carried out, would be almost denuded of Marines, and also that he would see that the reduction of the Marines was a mistake, and would endeavour to restore that Force to its previous strength.

MR. T. C. BRUCE said, when the Navy Estimates were before the Committee some time ago, at a late hour the Committee was given to understand that a better opportunity would be given on a future occasion to discuss the very important questions involved in those Estimates. That opportunity had apparently now come; but he was not sure that there was much advantage in regard to the hour, and as the Committee were now discussing the last Vote which concerned the *personnel* of the Navy, he was afraid at this hour that subject could hardly be dealt with in the manner it deserved. He should not attempt to discuss it at any length; but he wished to express his concurrence in what had fallen from some of the hon. and gallant Members who had already spoken. He hoped the Government would reconsider the proposal to reduce the Marines, for he thought the experience of late years, and of the present time, had proved that the Navy would probably be in the future principally employed in what he might call an amphibious service, and would probably not be much engaged in its own proper element, but in service on land as well as on sea. The fact of the present construction of our ships—the small number of men they carried, and the large proportion of mechanics and engineers among those men—would lead to our relying more than ever on the Marines. It was true, perhaps, that in ordinary circumstances these vessels would not be able to carry a large number of Marines; but he could not help thinking that, under the circumstances in which we were now placed, it would be very desirable to have a large force of Marines to draw upon for the purpose of landing when there was no enemy at sea and the fighting must be done on shore. There was also the question of the engineers. The late Secretary to the Admiralty had made a comparison between the pay of the engineers in the Royal Navy and the engineers in the Merchant Service; but it seemed to him that there was a great deal of difference in the duties. The engines in the Royal Navy were extremely complicated, and the duty of the engineers was far more difficult and varied than that of engineers in the Merchant Service, in which the engines were of a much more simple construction. The engines in the Merchant Service were not used as those in the Navy were for a great variety of purposes in working the ship. Another consideration was that the ships of the Royal Navy were frequently sent to unhealthy countries, where the men suffered from the nature of the climate, without receiving any higher pay.

BARON HENRY DE WORMS said, he wished to urge the claims of the Engineers to special consideration by the Admiralty, and he begged to quote an opinion given by the Junior Lord of the Admiralty that the value of the engineer officers was universally recognized, especially as the machines under their charge were now so complicated. The pay of those officers had not increased in the ratio as the increase amongst other ranks of officers. At the age of 40 a chief engineer received 13*s.* a day; an Executive officer, 23*s.* 6*d.*; a navigating officer, 18*s.*; a medical officer, 24*s.*, and an account officer, 15*s.*; but at 55 the mean rate of pay per day of an engineer officer was 12*s.* 7*d.*; an Executive officer, 19*s.* 7*d.*; a navigating officer, 15*s.* 5*d.*; a medical officer, 22*s.* 5*d.*, and an account officer, 15*s.* 10*d.* He thought those figures sufficiently proved that these officers were not paid in proportion to their services, or to the pay of other officers, and the testimony of the Junior Lord established the fact that their duties were extremely onerous. He therefore hoped the Admiralty would award them the remuneration due to their services.

MR. BROADHURST said, he wished to support the appeal for a further consideration of the case of naval engineers. As the proposal made by the late Secretary to the Admiralty had not yet been put in force, there was yet time for the Government to give further favourable consideration to the claims of these men. He could not possibly conceive any similarity between the responsibilities of an engineer officer in the Royal Navy and those of an engineer in the Merchant Service. In the case of an engineer in the Merchant Service, he had to keep his machinery going simply for carrying purposes, or for going from port to port as quickly and as safely as possible; but in the case of a naval engineer, he had charge of machinery of a very complicated and important nature, and he had not only always to maintain it in efficiency, but he must always be ready for action, and he had in that case to consider the safety, the honour, and the interests of the nation. Then these engineers were frequently sent to very hot climates for considerable periods at a time, which destroyed their health and shortened their lives, and these considerations ought to be taken into account in estimating the services of these men. He hoped there was yet time for the Government to consider the claims of these men, without whom the Navy would be absolutely valueless. It was impossible to overrate the immense importance of their work, and their claims ought to be considered in proportion to their importance. The case of the artificers was also one calling for the consideration of the Government. He understood that these men were not asking for any very considerable increase in their pay, and it could easily be shown that what they asked for would add greatly to the advantage of the Service, and to the efficiency of their duties on board ship. He hoped that another year much more time would be allotted for the consideration of all these questions. It was very objectionable that the questions affecting the Navy should be discussed late at night. It was not creditable to the House or to the country. It was not the fault of the Government altogether to-night; but he hoped they would so arrange on another occasion that there would be a fair opportunity for full consideration of these important matters.

Mr. PULESTON said, he objected to the principle laid down in the answer of the Secretary to the Admiralty to a question put to-day, that because a scheme was carried out in 1876 it could not be re-opened in 1882. He quite concurred with hon. Members who had spoken that the practice of dealing with these Estimates without proper discussion was a scandal. Last year the Estimates had to be taken at the fag-end of the Session, when there was scarcely anybody present, and he did not agree with the hon. Member for Stoke (Mr. Broadhurst) that it was not the fault of the Government, because he thought they had occupied the time of the House with matters of far less consequence. There had been worthless debates on such questions as the policy of the House of Lords, and it was perfectly useless to take up any important question with regard to the Navy at 2 o'clock in the morning. No one was then in the humour to listen to arguments, and it was no use talking. He hoped the remaining Votes would have a fuller consideration than the Votes taken to-night. The naval engineers, perhaps, might be thankful for favours to come which were promised by the late Secretary to the Admiralty; but when the time came for the fulfilment of those pledges a new scheme was introduced, which put them in a worse position than they were previously in. He quite appreciated the difficulties in regard to this question; but what he complained of was that the reforms, which were so essential for the efficiency of the Service, were taken up in a piecemeal way, and when they were given were not effective, and did not keep up at all with the progress of the country and the necessities of the Service. There was a great deal to be done, not only with reference to the engineers, but all through the Dockyards and the Naval Service generally, in equalizing the classes of workmen. Reference had been made to the question of naval schoolmasters. Those men were very much worse off than the other classes referred to, for they only got half the pension of a Marine. It was a great mistake to allow a class of such importance to be dissatisfied with their allowances and pensions, and he hoped the Secretary to the Admiralty would take note of their case with a view to improving their position.

Mr. ARTHUR O'CONNOR said, they were now on Vote 2, which related to victuals and clothing for seamen and Marines; and even anyone who was conversant with the mode in which the proceedings of the Committee were conducted would have been puzzled to know what was the Business before the Committee. The proceedings of this evening showed the disadvantage which necessarily attached to the way in which the Votes for all the different Services were brought before the attention of

Parliament. Not only had they now to sit until the small hours of the morning to consider the Estimates of various kinds, but they had a discussion in such a fashion that it was perfectly impossible that anything like a logical or intelligible criticism could be sustained by a number of Members on such varied Services of the Navy. He would not attempt to go into the large number of questions which had been raised by different hon. Members, but there was one feature with regard to the Estimates which he thought the Committee ought to take note of. There was an apparent saving on the whole of the Estimates of £221,000. On this particular Vote for victuals and clothing there was, on the other hand, an increase. He thought that the increase in the present Vote required some very detailed and clear explanation. The present Administration came into Office with very loud professions of economy and reform in the Public Service, and to note some of the speeches which were still made by Liberal Members throughout the country, one would be led to believe that something like practical economy, combined with efficiency, would be carried out. What was the fact with regard to the naval administration of the Government? They acceded to Office in 1880-1, and the figures for that year certainly did show a diminution in the cash charges of the actual expenditure in connection with the Services. The Effective Votes were reduced by the sum of £141,000, and looking generally at the Estimate, one would be inclined to think that the Government had a right to take credit to themselves for that reduction. Let them examine that reduction in a very simple way, and they would find in reality there was no reduction at all, but in order to produce an apparent reduction, the efficiency of the Service had been shamefully sacrificed. There was a reduction of £141,000 in the Effective Vote, but, on the other hand, there was an increase in the Non-Effective Vote of the sum of £54,000. Whether a reduction of Effective Services was good or not depended very much upon the efficiency of the Service in connection with which the expenditure was lessened; but an increase in the Non-Effective Vote contributed nothing to the efficiency of the Service, and was a dead loss to the country. The reduction of £141,000 in the Effective Vote, reduced by the £54,000 increase in the Non-Effective Vote, left a balance of £87,000. The Government could not take credit for the reduction of £87,000 at all, because, in connection with the present Vote for victuals and clothing, if hon. Members would turn to the Navy Victualling Accounts of 1880-1, they would find that at the beginning of the present Government's administration, they took over from their Predecessors victuals remaining in store in April, 1880, of the total value of £534,924. In the first year of Office of the present Administration that amount of stock had been reduced to £458,000—that was to say, the whole of the reduction in expenditure in the Votes represented the diminution of stock in the victualling yards, and that was what was called economy and efficient administration. Besides that, the Victualling Yards' Return presented a number of very curious and interesting features which would repay examination by any hon. Member. At this late hour he would not occupy the attention of the Committee unduly; but he had shown, he thought, how the whole of the reduction on the Naval Estimates was accounted for by the reduction of stock in the victualling yards alone. But that was not the whole of the story, because, when he took up the Appropriation Accounts for the same year, audited and reported upon by the Controller and Auditor General, he found that over and above the reduction of stock in the victualling yards there was a further reduction in still more important yards—namely, the Dockyards. The value of the stock in these yards in the beginning of the financial year 1880-1, as would be seen from the Dockyard Expenses Account, was, on the 1st of April, 1880, £2,967,000. On the 31st March, 1881, the end of the first administrative year of the present Administration, that value had been reduced to £2,757,000, or by a sum approaching a quarter of a million of money. Well, that was too much for the present Government to face, and in order to account for some, at least, of that reduction they had claimed that the difference was due, to a certain extent, to the variation in the rates. He knew something about the way in which those rates were assessed, and he was convinced that the variation in rates, put into plain and honest figures, was depreciation in value, so he must object to the reduction on that account, at any rate to the full extent—£76,000. Even admitting that that was a fair explanation of the difference to the amount of £76,000, there still remained the difference between £2,967,000 and £2,853,000—namely, £113,600. Now, he had dealt with two different Returns, the Victualling Yards and the Dockyards Returns, and they showed that instead of a reduction in expenditure on the whole account, there was a small reduction on Cash Accounts to the extent of £141,000, which was entirely met by the increase in some other Votes, while the great expenditure and reduction in the stock in the victualling yards and dockyards and naval stores was entirely unaccounted for. He would not dwell further on that matter, except for the purpose of pointing out that in the present Estimates there was a new feature, which he had mentioned on a previous occasion, and that was that the money which used to be paid into the Exchequer as Exchequer Extra Receipts was now being taken in aid of the Votes, and that, consequently, there was the appearance of the Votes being lighter than they really were, because in order to obtain information as to what the actual amount of the charge was, they must add the total shown on the total page to the amount taken in aid. Under the circumstances, it became more than ever important that some system of stocktaking should prevail on which the Committee could have something like reliance. The Controller and Auditor General had, over and over again, pointed out that he had no means of properly checking this Department of the Administration; and when they came to consider that such a Return as was now presented in this Blue Book, with regard to the Victualling Account alone, contained, he thought, £500,000 worth of shoes, £178,000 of blue cloth No. 2, and £164,000 of half boots, without any apparent means of checking the issue, or checking their condition, it was time that they should ask the Government to give the Committee some assurance that practical steps would be taken to institute a complete system of independent check and stocktaking, which the House of Commons should have resort to. So much with regard to the general expenditure. With regard to the details of this particular Vote, he should like to ask the hon Gentleman the Secretary to the Admiralty if he could account for the fact that, besides "The provisions received under contract," there was a second head—namely, "Saving of payments for provisions not taken up," that amounted to about a quarter of the whole? It seemed an extraordinary thing to one not connected with the administration of the Navy, that 25 per cent of the expenditure for victualling seamen and Marines should be taken out in cash. There must be something requiring investigation, something surely calling for explanation, in a feature so extraordinary as this. Then he must ask the hon. Gentleman, also, whether the Marines in service in Ireland were subject to the same regulations in respect to rations as the Marines were in this country, or did they enjoy any exceptional privileges in connection with rations; and he would also ask whether they received any separation allowance for their wives and children which was not given to the Marines in this country?

Mr. CAMPBELL - BANNERMAN said, he would endeavour, with the indulgence of the Committee, to answer the various questions that had been addressed to him. In the first place, he must say that he shared the regret that had been expressed at the late hour this discussion had come on; but he was bound to point out to the Committee that the Government ought not be blamed in the matter, inasmuch as this was the third Government night on which the Navy Estimates had been the First Order on the Paper. Although they had not got the full benefit of the time thus devoted to Naval Estimates, he did not think the Government was at all in fault. With regard to the future, he believed it was his hon. Friend the Member for Devonport (Mr. Puleston) who asked if he (Mr. Campbell-Bannerman) could not give a promise to take an early day for the discussion of naval matters more in detail. It certainly was the intention of the right hon. Gentleman the Head of the Government that a day should be given in July, and by giving a day the right hon. Gentleman, of course, meant that it should be a substantial opportunity of discussing the most important Votes. He (Mr. Campbell - Bannerman) was not in a position to give any pledge beyond that. The hon. and gallant Member for Essex (Colonel Makins) made some observations on the subject of the Marines, and suggested that the Marines deserved to be, and ought to be, represented on the Board of Admiralty, and his hon. Friend the Member for Horsham (Sir Henry Fletcher) joined in supporting that proposal. It seemed to him (Mr. Campbell-Bannerman) that this was not altogether a reasonable request, because, in the first place, he rather disputed the view that was implied—the view that an officer was required on the Board of Admiralty to represent the interests of a certain section of the Service. If an officer was appointed to the Board of Admiralty, it was as an Executive administrative officer, and he was not placed there to represent the peculiar interests of a certain section of officers or men. He did not know that it had ever been suggestsd, for instance, that the Royal Artillery, or Royal Engineers, should have at the War Office a separate Adjutant General for themselves. The Adjutant General was responsible in the first place, and the Deputy Adjutant Generals for the Royal Artillery and Engineers under him managed the discipline of the particular branches of the Service to which they belonged; and as to the Admiralty, there was a Deputy Adjutant General, and an Assistant Adjutant General under him, who, under the Naval Lords, had the control of all the affairs of the Navy and the Marines. He did not think it could be said the interests of the Marines were not fully considered, or that any matter connected with them did not receive all the attention that it deserved. His hon. and gallant Friend (Colonel Makins) also pointed out that there was a stagnation of promotion in the Marine Artillery; that the promotion had been greatly improved, as he understood it, in the Marine Infantry, but not in the Marine Artillery. Something had been done for both, but possibly there might be some inequality in the promotion of the two branches of Marines; but at this moment he could only say he would look into the matter. He could not, however, make an absolute promise; there had been a great deal done to improve the promotion, but it was quite possible it might not have been as effective in the Artillery as in the Infantry. His hon. and gallant Friend had alluded also to the case of Major Bramwell. He (Mr. Campbell-Bannerman) would look into the case; it was quite a new matter to him. His right hon. and gallant Friend opposite (Sir John Hay) also alluded to the question of Marines. The right hon. and gallant Gentleman appeared to him (Mr. Campbell-Bannerman) to make, for a countryman of his, who ought to be logical if anything, an extraordinary error; he confused *post hoc* with *propter hoc*. The right hon. and gallant Gentleman said that he was glad to find that in consequence of his observations on the question, the Admiralty were now sending out some vessels of lighter draught to the Mediterranean. He and his Colleagues attached great weight, as they ought to do, to the right hon. and gallant Gentleman's opinion; but he could not flatter him by saying it was altogether due to the observations he made that certain ships of lighter draught had been sent out to the Mediterranean. It was true the Admiralty had sent out an additional number of ships to the Mediterranean, and it so happened there were amongst the number some which were of a lighter draught than those already there when the right hon. and gallant Gentleman referred to the matter. He did not wish, however, on this occasion to enter into the question of the military preparations in the Mediterranean, or to discuss what had happened, or what had been prepared for any eventualities that might occur. His right hon. and gallant Friend made another observation of the same kind; he said that they had reduced the number of Marines in order to meet the increase of pay. He could not help thinking that that was a fallacy which had been repeated by a great many hon. Members. The real reason of the reduction was stated by his right hon. Predecessor (Mr. Trevelyan), who had said that the complement of ships had been much reduced, and that, as the Marines bore a certain proportion to the rest of the men on board ship, fewer Marines were required. It was a well-known fact that fewer Marines were now found on board ship than formerly. The real point was this, that it was not thought advisable, for the maintenance of the efficiency of the Corps, that there should be more than a certain proportion between the men afloat and the men ashore. Seeing that the number of Marines who were required on board ship had been greatly decreased, it was also reasonable there should be a certain decrease in the number on shore; that was the reason for the reduction that had been made. There was, as had been pointed out by an hon. Gentleman opposite, a year or two ago a reduction of 1,000 Marines which was carried out by the late Board of Admiralty. [SIR JOHN HAY: To which I objected.] He (Mr. Campbell-Bannerman) was not making any comlaint at all, but showing that it had been the idea of the Admiralty for some time past that a reduction of the number of Marines was possible. There might be a great deal to say against a reduction; he was not prepared himself, not being so fully conversant with the matter as he might be, to give all the reasons that might be alleged on the question. But he would point out this, that so far, at all events, as concerned the immediate circumstances of the day, he did not imagine that the reduction had as yet had any effect at all; he did not imagine that there were many fewer Marines in the Service now than there would have been if the policy of reduction had not been adopted a month or two ago. [SIR JOHN HAY: Four hundred.] Four hundred less than under the late establishment? He was not quite sure, but, at any rate, the argument that the Marines were depleted by the number sent to the Mediterranean was no argument at all. If, when required, an additional force of Marines could not be sent away from England, the thing would be reduced to an absurdity.

SIR JOHN HAY said, that what he had asked was, would there be sufficient Marines at home, after the additional force had been sent away, to man the ships at home, supposing the Marines were required for that purpose?

MR. CAMPBELL-BANNERMAN said, that was another question. He would not insist upon it, but he thought that his right hon. and gallant Friend contended that if they sent 6,000 away, they ought to maintain the Reserve at its full strength. Inquiries had been made also by some hon. Members, amongst whom he thought was the noble Lord the Member for Chichester (Lord Henry Lennox), whether Sir Beauchamp Seymour, in command of the Mediterranean Squadron, ought not to have a larger force of Marines at his disposal?

LORD HENRY LENNOX begged to say that he had never asked anything of the kind.

MR. CAMPBELL-BANNERMAN begged the noble Lord's pardon. He would point out this, that Sir Beauchamp Seymour had the full force of Marines that his ships could carry. In ordinary times they could not have a larger number of Marines in the ships than the full complement of the ships, and whatever force Sir Beauchamp Seymour had capable of being landed at Alexandria would correspond with the number and size of the ships that he had under his command.

LORD HENRY LENNOX said, he would not interrupt the hon. Gentleman at this late hour, but he should have another opportunity of entering into the subject.

MR. CAMPBELL-BANNERMAN said, the hon. Member for South Devonshire (Sir Massey Lopes) was the first, he thought, to allude to the case of the engineer officers, and several other hon. Gentlemen had gone into that matter. The Admiralty had done for the engineer officers not certainly all those officers asked for, or all that might have been done, perhaps, in the opinion of some of the officers' friends; at the same time, they had made a very substantial improvement in their condition. He might say that what his right hon. Predecessor had announced with regard to these men was not the complete scheme of the Government. He did not wish to give rise to any great expectations; but still there were many of the points alluded to to-night that would be found to be met, he thought, in some degree, when the scheme ultimately came out. The whole scheme was really founded upon the principle of decreasing the number of the engineer class and increasing the number of engine-room artificers. For the engineer class, high capabilities, considerable technical education and training—qualities that were not absolutely necessary for many of the duties they had hitherto had to discharge—were required; and, therefore, it had been thought that the Navy would not suffer in its efficiency if there was a smaller number of highly-trained engineers and a larger number of engine-room artificers. Various advantages had been given to the engineers, including several increases of pay. The increases were not very large, but still they were substantial, and he might say that the separate engineers' mess was being abolished in ships as circumstances would permit. It had been already abolished in the troopships, and in all vessels from corvettes downwards. A good deal had been said about the 11 years' service which was necessary before a chief engineer could count all his time for pension, and it was alleged that this had the effect of entirely preventing them from realizing the full rate of retired pay. No doubt, something might be done to modify that; but, beyond making that statement, he could not at present make any further promise. He would point out, however, that that rule as to 11 years applied to other kinds of officers besides engineers, navigating officers, and paymasters; so that there was no hardship peculiar to engineers. Something, he believed, was intended to be done which would, in some respects, remove their complaint. The hon. and learned Member for Chatham (Mr. Gorst) had questioned him about the naval cadets, and had quoted something which he said was not exactly a pledge, but an understanding or an undertaking of his (Mr. Campbell-Bannerman's) Predecessor, that certain changes would be introduced. He (Mr. Campbell-Bannerman) very much doubted whether his right hon. Friend had ever given any pledge or undertaking on the subject; in fact, it would have been very improper for him to do so, because in regard to a matter of that sort he could not of his own act, if he might use the expression, have given a promise of the kind; but the two points to which the hon. Member had drawn his attention were the adoption of public competition for entry of candidates and the question of age. Well, upon these points opinion was very greatly divided. It had been said that naval officers of great distinction were in favour of the changes proposed. He knew that, but he knew at the same time that there was a great deal to be said on both sides—that there were also many naval officers of great distinction who were opposed to the changes. It was not so one-sided a matter as the hon. and learned Member seemed to think, and all he could say was that the whole question of the entrance and education of cadets would always have the constant careful attention of the Admiralty. The hon. and gallant Member for Horsham (Sir Henry Fletcher) and the hon. and gallant Member for Devonport (Captain Price) said that it would be desirable to have a Marine officer sitting upon all courts martial held upon Marines. No doubt *primâ facie*, there was a strong case for such an arrangement; but it would be difficult to lay down a certain rule on a question of that kind, because it was obvious that there must be many cases where it would be inconvenient to have Marine officers sitting upon the trial of Marines. He would see whether any arrangement of the sort could be carried out. Comparison between the Line and Marines had been drawn to show that the pay of the latter was insufficient; but to meet arguments advanced in the interests of the engineers and Marines there was one reply which suggested itself, but which he was always reluctant to use or trust to, because it was what he might call a brutal argument. It was one, however, that he might venture to use on this occasion, and that was, that where they found a large number of men in the Service and willing to enter it, they must draw the conclusion that that Service was popular. In both the cases referred to, both in the case of the Marines and engineers, there was no difficulty whatever in obtaining men. In the Marines, the facts which the hon. and gallant Member (Captain Price) himself had given showed that they got a very high class of men. Owing to these facts they were able to shut the door very closely, and to be very particular as to the class of men admitted; and if they were to open it more than they did they would at any time be able to get a much larger number of men than they at present required. The comparison drawn between the Line and the Marines was not a fair one. In the Line the age and the period of service had been increased last year, so that the comparison which had been made was now hardly correct. Besides, any comparison of the average age of men serving, founded on long service as compared with short service, was misleading, because in the case of short service it was always contemplated that the ranks should be filled up from the Reserve. He had been questioned with regard to the pay of the sergeants, and he could only say that he did not mean to shut the door on this subject at all, but that he rather wished to guard against any idea of a close comparison being instituted between the two Services. As the Committee knew, the whole question of pensions had lately been under the consideration of a Departmental Committee. That Committee had laid its Report before the Board of Admiralty, and they would take the earliest opportunity of considering it. Probably it would be considered in the autumn, and he dared say some changes might result from it. As to the question of widows' pensions generally, he did not know that he should be justified in holding out any hopes in the direction hon. Members thought desirable. But there was one thing that Lord Northbrook had been anxious to accomplish, and that was to have some better provision for the widows of seamen disabled in action or by accident when on service. His noble Friend hoped to be able to do something in the matter in the course of the present Session—at all events, the matter was receiving the most careful and anxious attention. As to the engine-room artificers, several points in regard to them had been brought forward. It had been suggested that they should be made warrant officers, but that was a matter which he could only promise to bring before his Colleagues. The noble Lord the Member for Chichester (Lord Henry Lennox) had spoken about a reduction of the Marines ; but upon that point he had made a general answer, which he trusted the noble Lord would accept. He did not wish to deny that there might be considerable feeling on the subject, but, as at present advised, he could not undertake that any new policy would be adopted in the matter. The noble Lord asked what number of Marines were available at Devonport and Chatham? He (Mr. Campbell-Bannerman) could not answer him that question now, but he would be happy to communicate the facts to him privately. The noble Lord had alluded to the French Government as sending a large force of Marines, or being ready to send a large force of Marines—some 13,000 he thought the noble Lord had said—from Toulon.

Lord HENRY LENNOX said, he had stated that his authority was the newspaper reports of the day, that a force of 13,000 Marines in the French Navy, which was a land force, had been sent from a Northern port of France to Toulon, to embark in the iron-clads in readiness to proceed to sea.

Mr. CAMPBELL - BANNERMAN said, he understood that there was a contrast drawn between our position and that of France with regard to the Marines; but the noble Lord must be aware that the Marines of France were not the same as our Marines. The French "Infanterie de la Marine" were landsmen and not seamen, so that the case the noble Lord had referred to was analogous to our sending a few regiments of the Line on board a troopship

Lord HENRY LENNOX said, it was too late to discuss the matter.

Mr. CAMPBELL - BANNERMAN said, an hon. Friend had put a question to him to-day as to the settlement made in 1876 as to the retiring allowance to hired workmen in the Dockyards; he did not mean to imply that that was an absolutely final settlement, for, of course, all such matters were open to consideration. As to the pensions of schoolmasters, that subject would be dealt with in the general arrangement effected with regard to pensions, which would be carried out, or, at any rate, carefully considered in the course of the autumn. The hon. Member for Queen's County (Mr. Arthur O'Connor) had complained of the expenditure in the Navy, and it was refreshing to hear him, for most of the speeches which had been delivered tonight had been speeches recommending increased expenditure, because the improvements which had been urged as desirable to carry out were improvements which would lead to increased cost.

Mr. ARTHUR O'CONNOR said, the hon. Member had misunderstood him. He had not complained so much of the increased expenditure as the increase in the amount of stores.

Mr. PULESTON said, he had drawn attention to the irregularity with which the accounts were kept. He had pointed out that the figures were displaced in such a manner as to deceive the Committee. Of course, he did not mean to say that this was done intentionally.

Mr. CAMPBELL - BANNERMAN said, that what he had been referring to was the statement made before the question of the stores was raised. The hon. Member had compared the reduction in the effective expenditure with the increase which had taken place in the non-effective expenditure. It was a lamentable fact that there had been that reduction and that increase. It did not admit of any denial that in the Navy, as in the Army, for some years past, there had been going on a continued rise in non-effective expenditure which those who now had charge of the two branches of the Service had no power to stop. Engagements had been made with men now serving, and those engagements must be fulfilled. They were endeavouring, however, to the best of their power, to prevent future generations being charged in this respect as heavily as was the present generation. With regard to stock-taking, he could assure the hon. Member who had called attention to it that there was a most elaborate and costly stock-taking effected by skilled officers well qualified to carry it out. The hon. Member desired, it seemed, that there should be an additional stock-taking by the Auditor General.

MR. ARTHUR O'CONNOR: Yes; an independent stock-taking.

MR. CAMPBELL - BANNERMAN said, that one great difficulty in the way of that would be the question of expense. One stock-taking in itself was a very expensive thing, and if they doubled it, the cost would be a very serious matter. However, he quite agreed with the hon. Member that it was very desirable that these things should be looked into most carefully. With regard to the question that had been put to him as to the savings which were effected by the seamen, it had always been a habit in the Navy for the men to have certain rations served out to them; but they were not obliged to take them up, and they did not take them up very frequently, in order that they might have an opportunity of getting a variety of food for themselves. This was the principle which had always been acted upon, and this accounted for the item in the Estimates. He had nothing further to say in regard to the questions which had been put to him, and if he had omitted any point he should be very glad if hon. Members would remind him.

SIR JOHN HAY said, that, with regard to the Marines, if the hon. Member would turn to page 184 of the Estimate he would there find that they were reduced by the number of 600, and that there were 987 fewer good-conduct men than there were last year—that was to say, that in reducing the Force by 600 men they had not only brought about a reduction in strength, but, besides that, taken away 300 good-conduct men. That showed that they had not now such good men as they had before.

MR. CAMPBELL - BANNERMAN said, that what the hon. and gallant Member spoke of, he supposed, was the establishment of the year, not the actual number of men in the Force.

SIR JOHN HAY: No; the men in the Force.

MR. CAMPBELL - BANNERMAN said, he should have thought it would have been the establishment for the year. Of course, if the quality of the men had been let down by recruiting, it would improve as the men were trained.

MR. BROADHURST said, the hon. Member had not said whether he would take into consideration the case of the engineers.

MR. CAMPBELL - BANNERMAN said, he thought he had sufficiently answered that point. Certain things which had been mentioned were to be done for them, and the Circular which would be issued on the question would not be long delayed.

MR. PULESTON asked whether a complete statement would be made?

MR. CAMPBELL - BANNERMAN said, he could not say anything upon that subject.

MR. PULESTON asked whether the Circular would be presented this Session?

MR. CAMPBELL - BANNERMAN: Certainly.

CAPTAIN PRICE said, that, with regard to the Marines, in answer to something that fell from the hon. Member opposite (Mr. Campbell-Bannerman), he should like to remind him that last year Lord Northbrook, in making his statement in "another place," distinctly stated that he could not ask the country for more money, and that the changes which he was making could only be effected by reducing the strength of the corps.

Question put, and *agreed to.*

MR. CAMPBELL - BANNERMAN said, he would take no more Naval Votes to-night.

CIVIL SERVICE ESTIMATES.

(2.) Motion made, and Question proposed,

"That a further sum, not exceeding £1,617,250, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1883, viz. :—

CIVIL SERVICES.

CLASS I.—PUBLIC WORKS AND BUILDINGS.

Great Britain :—	£
Houses of Parliament	4,000
Monument to Earl of Beaconsfield (Re-Vote)	- -
Public Buildings	15,000
Furniture of Public Offices	1,000
Revenue Department Buildings ..	20,000
County Court Buildings	4,000
Metropolitan Police Courts	1,000
Sheriff Court Houses, Scotland ..	1,000
New Courts of Justice, &c... ..	10,000
Surveys of the United Kingdom ..	10,000
Science and Art Department Buildings	1,000
British Museum Buildings	1,000
Natural History Museum	4,000
Harbours, &c. under Board of Trade	1,000
Rates on Government Property (Great Britain and Ireland)	- -
Metropolitan Fire Brigade	2,500

Ireland :—	
Public Buildings	10,000
Science and Art Buildings, Dublin ..	1,000
Shannon Navigation	500

Abroad :—	
Lighthouses Abroad	1,000
Diplomatic and Consular Buildings ..	1,000

CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

England :—	£
House of Lords, Offices	5,000
House of Commons, Offices ..	4,000
Treasury, including Parliamentary Counsel	5,000
Home Office and Subordinate Departments	8,000
Foreign Office	6,000
Colonial Office	4,000
Privy Council Office and Subordinate Departments	3,000
Privy Seal Office	- -
Board of Trade and Subordinate Departments	15,000
Charity Commission (including Endowed Schools Department) ..	3,000
Civil Service Commission	3,000
Copyhold, Inclosure, and Tithe Commission	2,000
Inclosure and Drainage Acts Expenses	1,000
Exchequer and Audit Department ..	5,000
Friendly Societies, Registry ..	600
Local Government Board	10,000
Lunacy Commission	1,000
Mint (including Coinage)	5,000
National Debt Office	1,000
Patent Office	2,500
Paymaster General's Office	2,000
Public Works Loan Commission ..	1,000
Record Office	2,000
Registrar General's Office	6,000
Stationery and Printing	44,000
Woods, Forests, &c., Office of ..	2,000
Works and Public Buildings, Office of	4,000
Secret Service	1,000

Scotland :—	
Exchequer and other Offices ..	1,000
Fishery Board	2,000
Lunacy Commission	500
Registrar General's Office	500
Board of Supervision	1,000

Ireland :—	
Lord Lieutenant's Household ..	1,000
Chief Secretary's Office	3,500
Charitable Donations and Bequests Office	300
Local Government Board	30,000
Public Works Office	5,000
Record Office	1,000
Registrar General's Office	4,000
Valuation and Boundary Survey ..	2,000

CLASS III.—LAW AND JUSTICE.

England :—	£
Law Charges	10,000
Public Prosecutor's Office	600
Criminal Prosecutions	10,000
Chancery Division, High Court of Justice	20,000
Central Office of the Supreme Court, &c.	10,000
Probate, &c. Registries, High Court of Justice	10,000
Admiralty Registry, High Court of Justice	1,000
Wreck Commission	1,000
Bankruptcy Court (London) ..	3,000
County Courts	100,000
Land Registry	500
Revising Barristers, England ..	- -
Police Courts (London and Sheerness)	1,000
Metropolitan Police	50,000
County and Borough Police, Great Britain	1,000
Convict Establishments in England and the Colonies	20,000
Prisons, England	40,000
Reformatory and Industrial Schools, Great Britain	35,000
Broadmoor Criminal Lunatic Asylum	2,500

Scotland :—	
Lord Advocate, and Criminal Proceedings	5,000
Courts of Law and Justice	5,000
Register House Departments ..	3,000
Prisons, Scotland	10,000

Ireland :—	
Law Charges and Criminal Prosecutions	5,000
Supreme Court of Judicature ..	5,000
Court of Bankruptcy	1,000
Admiralty Court Registry	250

	£
Registry of Deeds	2,000
Registry of Judgments	300
Land Commission	5,000
County Court Officers, &c.	10,000
Dublin Metropolitan Police (including Police Courts)	20,000
Constabulary	150,000
Prisons, Ireland	10,000
Reformatory and Industrial Schools ..	5,000
Dundrum Criminal Lunatic Asylum ..	500

CLASS IV.—EDUCATION, SCIENCE, AND ART.

England :—	£
Science and Art Department ..	30,000
British Museum	15,000
National Gallery	3,500
National Portrait Gallery	300
Learned Societies, &c.	3,500
London University	1,000
Deep Sea Exploring Expedition (Report)	- -
Transit of Venus	2,000
Scotland :—	
Universities, &c.	- -
National Gallery	- -
Ireland :—	
Public Education	70,000
Teachers' Pension Office	100
Endowed Schools Commissioners ..	100
National Gallery	300
Queen's Colleges	2,000
Royal Irish Academy	- -

CLASS V.—FOREIGN AND COLONIAL SERVICES.

	£
Diplomatic Services	20,000
Consular Services	20,000
Suppression of the Slave Trade ..	500
Tonnage Bounties, &c.	1,000
Suez Canal (British Directors) ..	200
Colonies, Grants in Aid	2,000
South Africa and St. Helena ..	1,000
Subsidies to Telegraph Companies ..	1,000

CLASS VI.—NON-EFFECTIVE AND CHARITABLE SERVICES.

	£
Superannuation and Retired Allowances	20,000
Merchant Seamen's Fund Pensions, &c.	6,000
Relief of Distressed British Seamen Abroad	2,000
Pauper Lunatics, England	- -
Pauper Lunatics, Scotland	20,000
Pauper Lunatics, Ireland	10,000
Hospitals and Infirmaries, Ireland ..	2,000
Friendly Societies Deficiency ..	- -
Miscellaneous Charitable and other Allowances, Great Britain ..	500
Miscellaneous Charitable and other Allowances, Ireland	200

CLASS VII.—MISCELLANEOUS.

	£
Temporary Commissions	3,000
Miscellaneous Expenses	500
Total for Civil Services	£1,077,250

REVENUE DEPARTMENTS.

	£
Customs	40,000
Inland Revenue	150,000
Post Office	200,000
Post Office Packet Service	- -
Post Office Telegraphs	150,000
Total for Revenue Departments ..	£540,000
Grand Total ..	£1,617,250

The Clerk of the House informed the House that Mr. Speaker was unavoidably prevented by indisposition from resuming the Chair during the present sitting of the House :—

Whereupon Mr. Playfair, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker.

MR. SEXTON said, he wished to put a question or two to the right hon. Gentleman the Chief Secretary to the Lord Lieutenant. There was in this Vote, unless he was mistaken, a large sum of money asked for the Services in Ireland ; and, looking at the variety and importance of the Services, hon. Members would be justified, even at this hour, as the opportunity so seldom occurred, of raising some question on the general policy of the Government in Ireland. He did not propose to take that course on the present occasion, and he would confine himself to asking the Chief Secretary certain questions, and if he received a satisfactory answer he would not go any further. The first question related to the operation of the Statute of Edward III. in Ireland. The Committee would remember that four ladies who were arrested under that Statute had been lately released, and the right hon. Gentleman had stated that 10 persons were still in custody under it, three of whom were ladies. He would ask how long were these ladies to be kept in gaol? No doubt they were persons of minor importance to those who had been released ; but it must be borne in mind that they were suffering a far more severe punishment than if they had been arrested as "suspects" under the Coercion

Act. When visited in prison, for instance, they had to stand on one side of an iron gate, whilst their friends were on the other, and they were liable to be interrupted by any person passing in and out. They suffered indignities and pains that would be bad enough for men to bear; but it was horrible to think of it when the Committee remembered that they were not men, but women. The right hon. Gentleman had said that these ladies had not been released because they had appealed to a higher Court, and the appeal was still pending. Well, the Irish people had often been told that the Court of Queen's Bench was open to them, and it was asked, "Why don't you appeal to that Court?" Well, they had the extraordinary result now that three ladies, having appealed, were kept in prison, whilst other people had been released, in order that their appeal might be decided upon. He trusted the Chief Secretary would no longer keep these ladies in prison, and that he would be able to say that the seven men also who had been arrested under a Statute 500 years old would be set at liberty. Another question he wished to put to the right hon. Gentleman was with regard to the Act of last year. The right hon. Gentleman the Prime Minister had stated that, in regard to all cases of "suspects," not themselves personally suspected of being associated with crime, the persons would be released. Well, the three principal men in custody were set at liberty within 24 hours of that announcement; but the more humble members of the Party to which these three gentlemen belonged were still in custody. The right hon. Gentleman the Prime Minister had said that the reason why the three Members were released was because it was supposed their release would conduce to the interests of law and order in Ireland. Well, surely, the same principle should apply to all the "suspects." The principle of the right hon. Gentleman seemed to be that the more speedily the releases were effected the better it would be for law and order; but the releases had proceeded so slowly that six weeks after the right hon. Gentleman's statement he (Mr. Sexton) had asked how many "suspects" were in prison—"suspects" who were not personally associated with crime—and he was told that there were still 91. Well, he had had the Papers searched from the date of his Question down to the present day, and he found that only some 17 had been released during the period that had elapsed. That would leave over 70 of these men still in gaol. What was the reason—what was the common sense or fair play of the conduct of the Government in this matter? Why should they add to the punishment of imprisonment the torture of suspense to the families of these men who were expecting from day to day that they would be let out? They were told that the Lord Lieutenant was considering the cases of these men. Surely it was not necessary to consider the cases so closely after the statement of the Prime Minister that at least 20 or 30 a-day could not be let out. Where there was no fear that the result of releasing a man would be to endanger the peace of a particular district, surely that man should be let free, according to the right hon. Gentleman's original statement. Most of these prisoners were connected with the agricultural operations, and the time had now arrived when the absence of these men from their homes meant almost ruin. Harvest-time had commenced, and in every case where a man was in gaol, and his wife or family were in charge of his farm, these people—namely, the wife and family—were subjected to petty persecutions on the part of the police and others. He had received several letters from "suspects" whose families were suffering in this way. He had received a letter from a "suspect" whose wife was endeavouring to till his farm near Enniskillen, drawing a painful picture of the manner in which the police were trying to intimidate her, and the men working for her. He hoped, therefore, the right hon. Gentleman would assure the House that the "suspects" would be set at liberty without any red tape or circumlocution.

Mr. TREVELYAN said, that the occasion was a very proper one upon which to raise this question, although it was hardly one upon which he could answer with any great minuteness. He should be very sorry to allow it to be thought that the discretion of the Lord Lieutenant and his advisers in the matter of releasing the "suspects" could in any sense be influenced by the extremely important object he (Mr. Trevelyan) and his Colleagues had of easing the passage of Supply through the House. This he said with regard to his answer, not with regard to the hon. Member's observations, because if there was any grievance that could be imagined, it certainly was the grievance of being in prison, and Supply was the time at which to bring grievances forward. With regard to the ladies and others in prison under the Act of Edward III., he had said to-day, at Question time, the method of imprisoning persons in default of bail was used very largely in ordinary cases as well as in agrarian cases. The Lord Lieutenant had considered these cases from time to time, evidently influenced by the length of time the persons had been in prison in comparison with the offence with reference to which their arrest was made. He had given the Lord Lieutenant reasons why he considered there was a distinction between the cases of these three ladies and the other persons who were released, and he still thought it was a legitimate distinction. The ladies had not been imprisoned longer than some of the other persons who were released the other day, and he had no doubt the Lord Lieutenant would carefully consider how they could be dealt with. Since the Protection Act came into operation, there had been 940 arrests which had resulted in 917 persons being placed in gaol, and of those 23 had been twice arrested and 55 had been released. He could not agree that the releases had been slow. It was obvious that, taking the great body of "suspects" as a whole, those who were left to the last would be generally the worst cases. He was not speaking of any particular number, but of the whole number, and the tendency to release would be to grow more slow as time advanced. When the present Irish Executive settled down to work, there were a number of "suspects" in prison—about 365. The principle upon which the Lord Lieutenant had acted in releasing "suspects" had been, above everything, whether they could be released with safety to the country, and to the special districts to which they would return. The Protection Act was passed for the public safety, and it would be worked to the end of its time mainly with regard to the public safety. The hon. Member said that the three Leaders of the movement were at once released when the present Executive commenced its work. He did not hesitate to say that their release was absolutely justified by the fact that no injury to the public safety had resulted; and anybody who had watched the course of public events in Ireland in regard to the agrarian movement must see that there was no reason to keep these Gentlemen in prison, and it was much better for the country and for themselves that they should be making speeches in the House than be in prison. He could not, however, see that of all the "suspects" a great number were only in prison for intimidation; but it must be remembered that agrarian crime had been very much mitigated of late, and at this moment the cases of intimidation were very much larger in proportion to the other agrarian crimes than they were four or five months ago, and that was, in itself, a reason for not letting out those prisoners merely because their offence was intimidation, when the Lord Lieutenant was informed by responsible persons that the presence of these men in their own districts would lead to an increase of intimidation. Even now, although there had been a satisfactory diminution of agrarian offences, there were as many offences in a month as there were in a year during the quiet times from 1872 or 1873 to 1879. That was a very serious state of things; and, in that state of things, he thought the Lord Lieutenant would be very much to blame if he released anybody from prison for any other reason than that they might be let out without danger to the public safety. The Protection Act at this moment was the only effective engine which the Government had for dealing with this state of things in Ireland. Hon. Members, he thought, knew pretty well that it was the strong desire of the Government not to keep men in prison even for a day after they were persuaded that the presence of those men in their own districts would not be a source of danger to those districts; and a general assurance was all that he could give at this moment, and he must not be expected to say more. He was quite convinced that the hon. Member would be satisfied that the Irish Government were honestly endeavouring to do justice to all concerned.

MR. ARTHUR O'CONNOR said, there was one consideration which he hoped the Lord Lieutenant would keep in mind—namely, that even if men were now in prison under a suspicion of intimidation, if they had been tried and found guilty, they would have been liable to only three months' imprisonment; whereas, in some cases, they had been kept in prison for 12 or 18 months. That was a matter which no one could see the justice of. He wished to put a question to the Financial Secretary with regard to the Shannon navigation, as he could not make out on what principle the amount was set down as a further Vote on Account. He should have thought the whole of the Vote would have been inserted, because it was of the first importance that these navigation works should be pushed on; for during the summer months, and just at present, it was more of consequence than at any other time to complete those works, because the summer floods were frequently the most destructive in the year. The hon. Gentleman had assured him a few days ago, with respect to the course of the Channel, that the Government had used some pressure to induce the Board of Works to push that work on. Under those circumstances, it was extraordinary that the Government should only ask for £500 for this service. On the day when he had asked for this information he saw a letter from a farmer in a district near the Shannon, in which a great deal of damage had been done, and the least the Treasury could do was to push on the works as quickly as possible. It was plain they would not be able to do that with £500, and he was convinced, from what he had himself seen, that £500 would not be sufficient for three weeks' work with all the men employed. He could not make out the system upon which the Government had divided these figures, and he hoped they had some other reserve from which they would be able to push on the works and make them effective.

Mr. COURTNEY said, he was afraid he could give very little information as to why not more than £500 had been asked for.

Mr. SEXTON supposed he had better accept the courteous answer given by the Chief Secretary, and he was satisfied that the three ladies would not be kept in prison any longer than was necessary; and with regard to the prisoners generally, he hoped the right hon. Gentleman would consider the condition of the country and the hardship those men suffered through being kept in prison during the harvest-time. While the right hon. Gentleman did not wish to ease the passage of Supply through the House, he himself did not wish to embarrass the Irish Government by opposing Supply.

Question put, and *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock.

Committee to sit again upon *Wednesday.*

BOILER EXPLOSIONS BILL.

CONSIDERATION OF LORDS AMENDMENTS.

Motion made, and Question, "That the Lords' Amendments to the said Bill be now considered,"—(*Mr. Hugh Mason,*) —put, and *agreed to.*

Lords' Amendments *considered.*

The following Amendments read, and *agreed to*:—In page 2, line 23, after ("Trade") insert ("either upon or without such preliminary inquiry"); in page 3, line 22, after ("record") insert ("and in Scotland to a witness attending a criminal trial by jury in the Sheriff Court"); line 24, after ("Courts") insert ("and in Scotland to the auditor of the Court of Session"); line 30, after ("same") insert ("with the evidence").

The next Amendment, in line 38, to leave out ("make such") and leave out ("as they think fit respecting") read.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Mr. WARTON: I rise to Order. It was ruled by Mr. Speaker lately that in case of Amendments coming from the Lords, those Amendments should be put *seriatim.*

The DEPUTY SPEAKER (Mr. Lyon Playfair): The rule is, when there is no opposition——

Mr. WARTON: There is opposition.

The DEPUTY SPEAKER (Mr. Lyon Playfair): The Question is, "That this House doth agree with the Lords in the said Amendments."

Question put, and *agreed to.*

Mr. WARTON: I rise to Order. I object to these Amendments being taken *en bloc,* and the Speaker lately ruled that they could not be so taken.

The DEPUTY SPEAKER (Mr. Lyon Playfair): They will now be taken separately, as opposition has been made.

The next Amendment, in line 39, to leave out ("the") and insert ("a preliminary"), and after ("inquiry") insert—

("Or formal investigation or any part thereof including therein the remuneration of persons holding such inquiry or investigation to be paid by any person summoned before it,")

—read.

The DEPUTY SPEAKER (Mr. Lyon Playfair): The Question is, "That this House doth agree with the Lords in the said Amendment."

Question put, and *agreed to.*

Mr. WARTON: Mr. Playfair, do I now understand you to put each Amendment separately?

The DEPUTY SPEAKER (Mr. Lyon Playfair): Before opposition was shown the Amendments which were read out were passed. After the hon. and learned Member opposed, the Amendments still remaining are moved separately.

Mr. WARTON: Would you kindly tell me what are passed?

The DEPUTY SPEAKER (Mr. Lyon Playfair): Those which were read together were passed, because there was no opposition. I am now taking them separately.

Mr. WARTON: Nothing was put to the House. I waited for the Chairman to put the Question. I only want to call attention to one matter, and it would save a great deal of time and trouble if I could do so now. You did not put anything.

The DEPUTY SPEAKER (Mr. Lyon Playfair): Is the Amendment reached upon which the hon. and learned Member wishes to speak?

Mr. WARTON: It is the Amendment proposed in line 39, to which I desire to take exception. [*Cries of* "Passed!"] Then, at another time, I shall object at the very beginning. I waited out of courtesy to the Chair.

Mr. ARTHUR O'CONNOR: I rise to Order. Did you, Sir, actually put from the Chair the Question, "That this House doth agree with the Lords in the said Amendment?"

The DEPUTY SPEAKER (Mr. Lyon Playfair): I did so.

Remaining Amendments read, and *agreed to,* as follows:—

In page 4, lines 1 and 2, leave out ("members of the Court of Inquiry including any assessors") and insert ("persons holding any inquiry under this Act"); line 4, leave out "any") and insert ("If and so far as not otherwise provided for all.")

A Consequential Amendment made to the Bill.

MOTIONS.

MUNICIPAL CORPORATIONS (BOROUGH FUNDS) BILL.

On Motion of Mr. Dodds, Bill to amend an Act of the Session of the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, chapter ninety-one, intituled "An Act to authorise the application of Funds of Municipal Corporations and other governing bodies in certain cases," *ordered* to be brought in by Mr. Dodds, Mr. Edward Clarke, Mr. Jackson, and Mr. St. Aubyn.

COPYHOLD ENFRANCHISEMENT BILL.

MOTION FOR LEAVE.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend the Copyhold Acts, and to promote the Enfranchisement of Lands of Copyhold and Customary Tenure, and of Land subject to Customary Incidents."—(*Mr. Waugh.*)

Mr. WARTON: I object.

Mr. WAUGH: I think that is very unfair.

Mr. WARTON: My point of Order is this, that a Bill is now brought forward called No. 2, and of which there is no Notice whatever. I object.

Mr. BIGGAR: I beg to move that the House be counted.

Mr. WAUGH here rose, but——

Mr. BIGGAR said: I rise to a point of Order. I hold that my Motion has precedence of every other Motion.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Three o'clock.

HOUSE OF LORDS,

Tuesday, 27th June, 1882.

MINUTES.]—Public Bills—*First Reading*—Supreme Court of Judicature (Ireland) Act Amendment * (166); Supreme Court of Judicature Amendment * (167).
Second Reading—Lunacy Regulation Amendment * (160).
Select Committee—Bills of Sale Act (1878) Amendment * (60), *nominated.*
Committee—Local Government Provisional Order (No. 8) * (146); County Courts (Ireland)* (105-168).
Committee — Report — Local Government (Ireland) Provisional Orders (No. 5) * (153).
Report—Lunacy Districts (Scotland) * (117).
Third Reading—Gas Provisional Orders * (157); Water Provisional Orders * (158); Poor Rates * (113); Somersham Rectory * (116); Public Schools (Scotland) Teachers * (143), and *passed.*

NEW PEER.

The Right Honourable John David FitzGerald, one of the Justices of the Queen's Bench Division of Her Majesty's High Court of Justice in Ireland, appointed a Lord of Appeal in Ordinary, under the provisions of the Appellate Jurisdiction Act, 1876, with the dignity of a Baron for life, by the style and title of Baron FitzGerald of Kilmarnock, in the county of Dublin—Was (in the usual manner) introduced.

AFRICA (SOUTH) — CETEWAYO, EX-KING OF ZULULAND — VISIT TO THIS COUNTRY.—QUESTION.

Earl CADOGAN: My Lords, seeing the noble Earl the Secretary of State for the Colonies in his place, I wish to ask him a Question with reference to the proposed visit of the ex-King Cetewayo to England. I had placed on the Table of your Lordships' House a Notice of a Question as to this proposed visit on Thursday next; but, as I understand that it is the intention of the Government that the ex-King should arrive in England before long, I wish to ask the noble Earl, Whether he has any objection to lay on the Table any further correspondence and despatches on the subject, and what ground there is for the change of opinion of Sir Henry Bulwer in reference thereto?

The Earl of KIMBERLEY: It would have been far more convenient if my noble Friend had given me Notice of this Question. If he had done so, I should have been able at once to give him the substance of the telegrams that have passed. If the noble Earl will repeat the Question on Thursday I shall then be able to answer him.

EDUCATION COMMISSIONERS (IRELAND)—THE ANNUAL REPORT.

QUESTION. OBSERVATIONS.

The Earl of BELMORE, in rising to call attention to the Annual Report for 1881 of the Commissioners of Education for Ireland; and to ask Her Majesty's Government if they would consider the recommendations therein made by the Commissioners, with a view to giving effect to them by legislation next year? pointed out that these Reports had been brought under the notice of the House and the Government on former occasions; but nothing had been done in the way of legislation. The Board of Education in Ireland was appointed in 1814, and it dealt with property of considerable amount, which had been intrusted to them for educational purposes. The Board consisted of two kinds of Governors, *ex-officio*, the holders of high offices, and a number of Governors who were nominated; and these again were divided into two classes — those who resided in Dublin and those who resided in the country; but since the Board was originally constituted many changes had been made in regard to it. The *ex-officio* members were the two Archbishops of Ireland, the Lord Chancellor, the Lord Chief Justice, the Provost of Trinity College, Dublin, and the Chief Secretary for Ireland; and he believed that if only one Member sat in Parliament for the University of Dublin he also would be an *ex-officio* member; but as there were two Members of Parliament for that University, a doubt was raised as to which should be summoned, and in the end neither was. In connection with the appointments made for meetings of the Board great inconvenience had been felt. The *ex-officio* members did not attend. All of them had other important duties to attend to elsewhere. He might say that only one of that body attended—namely, the Provost of Trinity College. The rule was that the Chairman of the Board must be an *ex-officio* member, consequently if one was not present, no meeting could be held. The Board had been equally unfortunate, until lately, with regard to the attendance of other members. It was pointed out by the Royal Commission that in 1877-8, out of 28 meetings called, no less than nine had to be put off through there not being a quorum of members present, which was rather a serious matter. As far back as 1858 the Commissioners of Education made various recommendations to which the attention of the Government was called in 1869, 1870, 1871, 1872, 1873, 1875, 1876, and 1877; and, notwithstanding that, not a single step had been taken, he believed, as regarded legislation, on any of the points. One of the recommendations was that it was essential to establish a system of efficient inspection of schools under the control of the Education Board by one Inspector, or, if necessary, by a staff of Inspectors. The Education Board, in spite of an opinion given by the Attorney General that they had no power to pay an Inspector, did pay £100 to a Fellow of Trinity College. But that was done only once. There was no doubt that the Board had no power to appoint a regular Inspector. Again, the Commissioners recommended the consolidation of the schools, and their removal in certain cases to more suitable localities, an extension of the present power of appointing the masters which was now in the hands of the Lord Lieutenant and the Archbishop of Armagh; that the Board should have power to regulate the salaries of the teachers and assistant teachers, and also the cost of instruction in all schools within their jurisdiction. Other recommendations were made by the Commissioners to make the schools under their control effective; and he did trust the Government would see their way to sanction legislation to carry out as many of these recommendations as they might deem necessary.

THE EARL OF ROSSE said, he thought the recommendations of the Commissioners were entitled to more consideration than they had received at the hands of the Education Department, and he hoped to hear from the Government that the subject was likely to receive attention next Session.

LORD CARLINGFORD (LORD PRIVY SEAL) said, he hoped the noble Earls (the Earl of Belmore and the Earl of Rosse) would not measure the importance which he attached to the subject by the length of the remarks he should make upon it. He could, however, safely say that he was thoroughly satisfied that reform in the matter was greatly needed —reform both in the constitution and powers of the Commission. The noble Earl was quite right in saying that no one could be blamed for bringing the question forward, because the materials had been accumulating for years in the shape of several able inquiries and of the special and annual Reports of the Commission itself; and he was bound to say that those Reports had not received that attention which they deserved. That observation applied to the Governments with which his noble Friend had been connected as well as to the Governments with which he (Lord Carlingford) had been connected, and he therefore made that confession cheerfully. But as to what should now be done he could say this, at least—that the Government would direct their attention to the subject before the next meeting of Parliament; and his right hon. Friend the Chief Secretary to the Lord Lieutenant of Ireland hoped, in the course of the Recess, when he might be free to devote himself to such peaceful labours, to put himself in communication with the Commission, and to confer with his noble Friend (the Earl of Belmore) or the other Commissioners as to the present position and powers of the Commission, and as to the legislation that might be necessary to make the Commission efficient, and to make the schools themselves what they ought to be.

THE EARL OF BELMORE thanked the noble Lord for his statement, which was perfectly satisfactory, and stated that the Commissioners would be most happy to confer with the Chief Secretary on the subject, with a view of ascertaining what was best to be done.

CIVIL SERVICE EXAMINATIONS.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY (for Viscount MONCK) inquired of the Government, Whether there would be any objection to making public the papers, in modern European languages, which were set at the examinations for the Civil Services of England and of India during the year 1881? With regard to India, modern European languages did not seem to be very necessary, and certainly had not the importance, and did not deserve to have allotted to them the same number of marks as should be given to the classical languages—Sanskrit, Arabic, and Persian. He thought there were several members of the Indian Council better qualified than the Civil Service Commissioners to set papers, or choose the subjects for examination for Indian candidates.

Viscount **ENFIELD**, in reply, said, that his noble Friend would not expect him to enter into the question of Civil Service examinations generally; it had been decided long ago that it was beneficial to have such examinations. It had been decided that the Papers referred to should be published as an Appendix to the next Report of the Civil Service Commissioners.

SUPREME COURT OF JUDICATURE (IRELAND) ACT AMENDMENT BILL [H.L.]

A Bill to amend the Supreme Court of Judicature (Ireland) Act, 1877—Was *presented* by The Lord Thurlow; read 1ª. (No. 166.)

SUPREME COURT OF JUDICATURE AMENDMENT BILL [H.L.]

A Bill to amend the Supreme Court of Judicature Acts; and for other purposes—Was *presented* by The Lord Chancellor; read 1ª. (No. 167.)

BILLS OF SALE ACT (1878) AMENDMENT BILL.

Select Committee on: The Lords following were named of the Committee:

Ld. Chancellor.
E. Powis.
E. Cairns.
V. Sherbrooke.
L. Clinton.
L. Sudeley.
L. Monck.
L. Coleridge.
L. Bramwell.

The Committee to meet on *Wednesday* the *5th of July* next, at Three o'clock, and to appoint their own Chairman.

House adjourned at half past Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 27th June, 1882.

The House met at Two of the clock.

MINUTES.]—Private Bills (*by Order*)—*Third Reading*—North Metropolitan Tramways*; Rotherham and Bawtry Railway*, and *passed.*

Supply—*considered in Committee—Resolutions* [June 26] *reported.*

Public Bills—*First Reading*—Municipal Corporations (Borough Funds)* [218].

Committee—Prevention of Crime (Ireland) [157]—R.P. [*Nineteenth Night*]; Bills of Exchange (*re-comm.*)* [211]—R.P.; Metropolitan Board of Works (Money) [176]—R.P.

Committee — Report — Public Health (Fruit-Pickers' Lodgings)* [214]; Highway Rate and Expenditure* [209].

Considered as amended—Local Government (Ireland) Provisional Orders (No. 4)* [173].

Withdrawn—Dublin City (Highways)* [88].

PETITIONS.

PETITIONS—DOVER HARBOUR BILL.

OBSERVATIONS.

General Sir **GEORGE BALFOUR** said, he desired to call attention to an entry in the Votes and Proceedings of the House, from which it appeared that an application had been received for leave to deposit a Petition, in connection with a Private Bill dealing with Dover Harbour, and that that Petition was to be considered to-day by the Committee on Standing Orders. He desired an explanation of the entry, inasmuch as he had been to the Private Bill Office, and he could get no information about this Petition. This was an important matter, because the Bill for a harbour at Dover had already been before a Select Committee in 1878, which threw it out, or so modified the design as virtually to condemn the project. In order to provide a harbour, suitable for naval purposes as well as for refuge and commerce, the plan must be so enlarged as to involve nothing short of £10,000,000; and as he objected to this mode of smuggling an important Private Bill through Parliament for an inefficient harbour, he now raised the question about the Notice.

Mr. **SPEAKER** said, it appeared from the Votes that a Petition relating to this matter had been deposited in the usual

Lord Stanley of Alderley

way at the Private Bill Office. The proceedings seemed to him to have been entirely according to custom; and he saw no reason why the Memorial should not go in the usual way before the Standing Orders Committee.

GENERAL SIR GEORGE BALFOUR, remarking that he never troubled the House with idle complaints, repeated that he had taken care to inform himself, and that they knew nothing about this Petition at the Private Bill Office. On an important matter like this——

MR. SPEAKER: The hon. and gallant Member has raised a question of Order, and has been answered thereon.

GENERAL SIR GEORGE BALFOUR: Well, Sir, you know I am the most obedient Member in the House of Commons. Tell me what course I ought to take, and I shall be quite ready to obey.

MR. SPEAKER: The hon. and gallant Member states that there has been great irregularity. I am bound to inform him there has been no irregularity at all. It is quite in the ordinary course.

GENERAL SIR GEORGE BALFOUR: I can only say that I did not know Private Business was done in this way.

QUESTIONS.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—PERSONS DETAINED UNDER THE ACT.

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that Mr. B. Coyle and Mr. N. J. Barrett are still detained in Naas Gaol, while six others of the Loughrea prisoners have been released; and, if the Lord Lieutenant will reconsider their cases?

MR. TREVELYAN: The case of Bernard Coyle will be reconsidered on the 1st proximo. The case of Nicholas Barrett was reconsidered on the 16th instant, when His Excellency decided that he could not at present order his release.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Why Mr. Maloney is still detained in Naas Gaol, when the other four men arrested in Monsteravan have long since been released?

MR. TREVELYAN: Mr. Maloney's case will come up for reconsideration at the end of the week.

MR. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If there is any reason for the further detention of Messrs. Edward Vallely and Thomas Vallely, who have been imprisoned as suspects since May 1881?

MR. TREVELYAN: On the 25th instant His Excellency considered the cases of Edward and Thomas Vallely, and decided that he could not at present order their release.

BOARD OF INTERMEDIATE EDUCATION (IRELAND)—THE EXAMINATIONS—NON-PAYMENT OF RESULTS FEES.

MR. GRAY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that a moiety of the result fees promised by the Intermediate Education Board of Ireland in their printed regulations for 1881, on account of students who passed the examinations which concluded in July 1881, was still unpaid; and, if so, whether any remedy will be immediately applied to prevent the insolvency of a public board and avoid actions at law for breach of contract being brought against it?

MR. TREVELYAN: It is the fact that the Intermediate Education Board were unable to pay out of the income of 1881 more than half of each admitted claim for results fees on account of the examinations in July of that year. The second moiety of the results fees, amounting to £6,590, still remains due. A Bill dealing with this matter has already had a third reading in "another place," and seems to have a fair prospect of becoming law.

EVICTIONS (IRELAND)—ALLEGED ILLEGAL EVICTION BY AN EMERGENCY MAN AT RATHKEALE, CO. LIMERICK.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that an emergency man named Cox dispossessed (with the aid of the police) a person named Benson out of his holding near Rathkeale, in the county Limerick; whether Cox had any legal authority for such eviction, more than the authority of Mr. Clifford Lloyd; and, whether Benson was refused by the Petty Sessions clerk a summons against Cox for forcible entry; and, if so, by whose authority was he refused such summons?

Mr. TREVELYAN: It is the case that an Emergency man, named Cox, with the aid of the police, dispossessed a person named Benson out of a holding near Rathkeale; but Benson was not the tenant of the holding. He was merely a labourer left on the farm after the tenant had been evicted. Cox acted under the authority of a warrant from the sheriff. Mr. Clifford Lloyd had nothing to do with the matter. The Petty Sessions clerk refused to give Benson a summons against Cox, unless he got it framed by a solicitor. He did so on his own authority.

BRIDGES (IRELAND)—THE RIVER MOY.

Mr. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that a woman named Genty was drowned on the 7th instant while endeavouring to cross the River Moy at Cloonacanana, the spot where a new bridge is to be built; and, whether the construction of this necessary work is delayed by some slight differences which have arisen between the Grand Jury of Mayo and the Board of Works?

Mr. TREVELYAN: The Board of Works have favoured me with a Report upon the second paragraph of the Question. An examination has to be made of the foundations of the bridge. The Grand Jury asked the Board of Works to have this done. The Board pointed out that that was the duty of the county surveyor, and the Grand Jury have given him the necessary directions for that purpose. It was a perfectly amicable correspondence, and led to no unnecessary delay. Had there been no delay at all it could not have affected the drowning of the woman Genty, who lost her life in attempting to cross the river at the spot where the new bridge was about to be built.

BOARD OF WORKS (IRELAND)—SUPPLY OF STORES BY CONTRACT.

Mr. ARTHUR O'CONNOR asked the Secretary to the Treasury, Whether the Committee, which reported in 1878 upon the administration of the Board of Works (Ireland), urged that immediate effect should be given to some system of open or limited competition for the supply of furniture and other articles to the Board, so as to reduce the value of supplies obtained without contract, or by contract after limited competition only, from £16,000 to £5,000 a year; whether any, and what, change has been made since that Report in the direction of having competitive tenders for the supply of furniture, and when that change was made; and, what has been the financial effect of the change?

Mr. COURTNEY: This recommendation has been carried into effect as occasions offered, and the value of the stores obtained without contract has been reduced to about £5,500 a-year; this includes only such articles as could not with advantage be obtained by open competition.

AGRICULTURAL STATISTICS—AGGREGATE PRODUCE COLUMN.

Mr. RANKIN asked the President of the Board of Trade, Whether he would take into his consideration the advisability of adding to the forms for the annual Agricultural Returns columns to be filled in with the number of bushels or tons grown, per acre, of the various crops under cultivation, in order to obtain some statistics as to the quantity of British agricultural produce, as well as merely the number of acres sown?

Mr. CHAMBERLAIN: I am well aware of the importance of the Returns suggested in the Question of the hon. Member, and the question has for some time been under the consideration of the Department; but the difficulties in the way of producing such Returns are really very formidable—not merely the difficulty of securing the assistance of farmers in such a matter, but it seemed almost impossible to estimate the production of certain crops. For instance, a permanent pasture is largely consumed by animals on the spot, and these animals are partly fed by other crops. At the same time, as I have said, the matter is still under consideration; and I may suggest to the hon. Gentleman, if he has any ideas on the subject, that he should call at the Department and see Mr. Gray, who is at the head of the Statistical Department, and confer with him on the subject.

THE IRISH LAND COMMISSIONERS—SITTINGS OF THE COURT OF APPEAL.

MR. J. N. RICHARDSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at the approaching sittings of the Land Commissioners at Belfast, there are 63 cases of appeal entered for hearing from the county Armagh, of which 49 are on the part of the landlords; and, whether, in view of the expense thus likely to be entailed on poor persons, Her Majesty's Government will recommend the Land Commissioners to hold a special sitting in Armagh for the purpose of disposing of these cases?

MR. TREVELYAN: The Land Commissioners inform me that, in selecting places for the sittings of the Court of Appeal, they choose those towns which are, on the whole, most convenient to the majority of suitors. They decided to hear appeals from Armagh in Belfast, and their arrangements could not be changed without much inconvenience to the public.

INTERNATIONAL LAW—THE SPANISH STEAMER "LEON XIII."

DR. CAMERON asked the Under Secretary of State for Foreign Affairs, Whether the Spanish steamer "Leon XIII.," which piratically carried off from Singapore Messrs. Wardrop, Hodgson, and Baker, three English engineers, whom the Supreme Court of that colony had ordered to be produced under writ of habeas corpus, was pursued to Manila, its destination, by one or more of Her Majesty's warships belonging to the China Squadron; whether the Spanish authorities at Manila admitted that a breach of International Law had been committed, and ordered Messrs. Wardrop, Hodgson, and Baker to be handed over to the British Consul; whether the Spanish Consul at Singapore advised the captain of the "Leon XIII." to disobey the order of the Supreme Court to produce Messrs. Wardrop, Hodgson, and Baker; whether he was cognisant of her flight from Singapore; whether she was supplied with engineers from a Spanish gunboat to enable her to escape; and, whether it is intended to make a claim upon the Spanish Government for compensation for the suffering, danger, and inconvenience which Messrs. Wardrop, Hodgson, and Baker were subjected to through being thus piratically carried off from a British port with the complicity and assistance of Spanish Government officers?

SIR CHARLES W. DILKE: The three English engineers belonging to the Spanish vessel *Leon XIII.*, and detained on board on charges of insubordination, were not piratically carried off from Singapore, nor was that steamer pursued to Manila by any of Her Majesty's war ships. The *Leon XIII.*, which had touched at Singapore, was not under arrest at that port, and proceeded on her voyage to Manila with the English engineers on board, but without the captain, who had been ordered to produce the engineers before the Supreme Court of the Colony in obedience to a writ of habeas corpus. The captain having, under the advice of his Consul, disobeyed the writ, was punished for contempt of Court. The Consul was cognizant of the departure of the steamer for Manila, and it is reported that she was supplied with engineers from a Spanish gunboat for the purpose of proceeding on her voyage. The Spanish authorities at Manila dealt with the case in a courteous and friendly manner, and handed over the English engineers to Her Majesty's Consul. The charges against them were investigated by a Spanish Naval Court, and they were finally discharged from any further proceedings. The case is at the present time the subject of correspondence between the two Governments; and Her Majesty's Government have addressed a remonstrance to the Spanish Government against the action of their Consul at Singapore.

EGYPT—LORD GRANVILLE AND M. CHALLEMEL-LACOUR—THE JOINT NOTE.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether it is the fact, as stated by M. Challemel-Lacour in his Despatch of the 17th January last, which has been published in the Yellow Book, on the Affairs of Egypt, just presented to the French Chamber, that Her Majesty's Secretary of State for Foreign Affairs told the French Ambassador "that he had never thought" the joint Note to the English and French Agents at Cairo, which was proposed by the French Government, and signed by Her Majesty's Government, "could be of the slightest use;" if so, why Her Majesty's Government signed the Note referred to, and why so important a statement was omitted from the Papers presented to Parliament?

Sir CHARLES W. DILKE: Lord Granville cannot, of course, recall to mind every word that he may have used in the course of frequent and prolonged conversations held between five and six months ago. My noble Friend is quite ready to assume that M. Challemel-Lacour recorded nothing which did not correctly represent his own understanding of something which was actually said. Lord Granville is, however, certain that he never intended to convey any such meaning as the words reported, taken without qualification, would imply. The opinion which he entertained, and could not have failed to express, was that the Dual Note would be useful, at least, in showing the accord between France and England.

Baron HENRY DE WORMS: I would ask the Under Secretary whether the usual course was followed by the French Government, before the publication of the Yellow Book, in ascertaining if the English Government had any objection to the publication of the several Despatches; whether any communications have taken place; and, if so, why steps were not taken to correct the conversations referred to?

Sir CHARLES W. DILKE: The Despatch in question was not referred to Her Majesty's Government; but it is not the ordinary practice to refer Despatches which contain reports of conversations by Ambassadors. The Despatches of Foreign Powers are referred to them; but not conversations with Ambassadors.

Sir H. DRUMMOND WOLFF: Is it not the ordinary practice for an Ambassador, before reporting a conversation with the Secretary of State for Foreign Affairs, first of all to submit it to the then Foreign Secretary, with the view of seeing whether it is correct?

Sir CHARLES W. DILKE: It is very frequently done; but it is by no means the invariable practice. Some Ambassadors always do it, some never do it, and some will do it sometimes.

Mr. GIBSON: Have any steps been taken to correct the misconception?

Sir CHARLES W. DILKE: Notice had better be given of that Question.

PARLIAMENT — PRIVILEGE — PREMATURE PUBLICATION OF PARLIAMENTARY PAPERS.

Mr. STEWART MACLIVER asked the Financial Secretary to the Treasury, If his attention has been directed to the frequent delays which occur in printing and issuing the Papers laid upon the Table of the House; whether the Printing Committee could be invited to meet and deal with the subject; and, whether the present system of supplying important Papers to certain public journals before they are given to Members will be stopped?

Mr. COURTNEY, in reply, said, complaints about the delay were not unfrequent, though not always reasonable; but that was a matter with which he had nothing whatever to do, and he had no doubt that complaint to Mr. Speaker and the Committee would receive attention. In regard to the latter part of the Question, it referred to Papers printed by command, and not by order of the House; and for information on that subject he must refer his hon. Friend to the Secretaries of State for the various Departments through whose hands these Papers came.

Mr. STEWART MACLIVER asked how it was that on Thursday last the important Papers about Egypt were supplied to the London newspapers 12 hours before they were in the hands of Members of the House?

Mr. COURTNEY said, he could only refer his hon. Friend to the Secretaries of State. He did not know that what he had just stated was a fact, and if he did he should not be able to explain it.

AFRICA (SOUTH)—CETEWAYO, EX-KING OF ZULULAND—VISIT TO THIS COUNTRY.

Mr. DAWNAY asked the Under Secretary of State for the Colonies, Whether the visit of Cetewayo to England has been decided on with or against the advice of Sir Henry Bulwer; and, if with his advice, whether he can state the reasons that have induced Sir Henry Bulwer to thus alter the very strong expression of opinion contained in his letter of 13th May, published as Letter No. 90, in the Blue Book lately issued containing the correspondence relating to the affairs of Natal and Zululand, in which he advises the postponement of the departure of the ex-King for England until some definite decision has been arrived at with regard to the future of the Zulu country, and comments on the unfair use which had already been made of the permission given by Her Majesty's Government to Cetewayo to go to England for purposes of intrigue in Zululand, with the object of forcing the situation in favour of the ex-King's restoration, and in which he mentions the great uneasiness produced in the minds of the Zulu people by this agitation on the part of the ex-King's brothers, and their uncertainty as to the intention of the English Government, and declares that he cannot shut his eyes to the consequences likely to result from the departure of the ex-King to England, and from the further agitation to which he feared it would give occasion, owing to the ill-use that would be made of the event by the party under Undabuko; and, whether the Government have come to that definite decision as to the future of the Zulu country that Sir Henry Bulwer then declared would alone excuse the permitting Cetewayo to visit England?

Mr. EVELYN ASHLEY: I am glad the hon. Member has given me an opportunity to put before the House the substance of the telegraphic communication which passed between the Colonial Office and Sir Henry Bulwer, because one report of what I said last night in reply to the right hon. Gentleman opposite (Sir Michael Hicks-Beach) was so inaccurate as to appear as if I had strained Sir Henry Bulwer's views so as to place upon him some of the responsibility which the Government is quite ready to assume. The following is the substance of the telegrams:—

> "Secretary of State to Sir Henry Bulwer.
>
> "June 21.—The delay of Cetewayo's visit to England does not appear to have averted disturbances in Zululand, and it is not easy to justify further postponement, especially as the favourable season will soon be over. We think that the promise to him should be fulfilled, and that his visit should take place without further delay, unless you see any urgent reason to the contrary."
>
> "Sir Henry Bulwer to Secretary of State.
>
> "June 23.—The disturbances in Zululand are caused by agitation, which is the result of interference by persons in this Colony who desire to see the ex-King restored. What has taken place respecting Cetewayo has been used in a way that stirs up agitation. But if Her Majesty's Government think it necessary, for the reason given by your Lordship, not to further delay the visit, I do not wish to oppose. It should be understood that it does not in any way commit us as to the course to be adopted in regard to Zululand."
>
> "Secretary of State to Sir Hercules Robinson.
>
> "June 23.—After communication with Sir Henry Bulwer, have decided not to postpone further Cetewayo's visit. He may, therefore, start whenever ready. Remind him that visit no way commits us as to future course respecting Zululand."

What, among other things, has pressed on Her Majesty's Government, is the danger to Cetewayo's life owing to his disappointment at the promise not being kept in good faith, and the fact that, as Sir Henry Bulwer cannot send in his Report for some little time, and it will then have to be fully considered before any definite decision can be arrived at as to the future of Zululand, it would have been altogether too late were that final decision waited for before allowing Cetewayo to make his appointed visit.

Mr. GORST: Does the hon. Gentleman expect that Sir Henry Bulwer's Report will be received before the close of the Session?

Mr. EVELYN ASHLEY: I hope so.

Sir MICHAEL HICKS-BEACH inquired whether Her Majesty's Government had received any information as to the disturbances that had occurred in Zululand? He had understood the hon. Member to say that no disturbances had taken place there.

Mr. EVELYN ASHLEY said, he had never denied that there were disturbances; but had only said that the Government had no information about any actual fighting, and that he did not believe there had been any. No doubt there had been large gatherings of Native Tribes. They had only telegraphic communications, several of which he had read to the House.

Sir MICHAEL HICKS-BEACH gave Notice that if the Government did not lay all the Papers relating to this matter upon the Table he should move for them.

Mr. EVELYN ASHLEY said, he had no doubt they would be able to lay them on the Table.

EGYPT—THE DIPLOMATIC STAFF.

Mr. A. J. BALFOUR asked the Under Secretary of State for Foreign Affairs, Whether, in consequence of the illness of Sir Edward Malet and Mr. Cookson, and in view of the present critical state of affairs in Egypt, Her Majesty's Government intend to strengthen the diplomatic staff in that Country?

Sir CHARLES W. DILKE: This matter has already been receiving the attention of Her Majesty's Government. A junior member of the Diplomatic Service leaves for Alexandria this day, and further steps will be taken to strengthen the staff.

LAW AND POLICE—ALLEGED CRUELTY TO JACKDAWS AT NEW COLLEGE, OXFORD.

Mr. HEALY asked the Secretary of State for the Home Department, Whether his attention has been called to the statement in newspapers that the authorities of the New College, Oxford, caused some jackdaws, who had built within the chapel, to be bricked up, causing the birds to linger, in a state of starvation, for five days, until they died; and, whether it is in his power to institute a prosecution for cruelty to animals in cases of this kind; and, if so, whether he will do so in this instance?

Mr. HIBBERT (for Sir William Harcourt), in reply, said, that it was quite true that statements to the effect indicated had appeared, but since then denials had been made in *The Times* and *Daily News*, and from these it appeared that the allegations of cruelty were entirely unfounded. His right hon. and learned Friend had received a letter from the Warden of New College, in which he stated that it was quite true that orders were given to stop up certain holes in the walls, but it was not true that any birds were bricked up alive in the holes. These were carefully examined, and all other places where birds' nests had been built, by the persons employed in the work. He (the Warden) had no reason to suppose that there was any truth in the statement. It was to be regretted that the hon. Member had thought it necessary to put the Question after the denials which had appeared.

ARMY (IRELAND)—THE MILITARY RIOTS AT BELTURBET.

Mr. BIGGAR asked the Secretary of State for War, Has he yet got a report of the result of the investigation into the late military riots at Belturbet; and, if so, with what result; is he aware that on the 15th instant one of the 19th Hussars made an unprovoked attack on a civilian; whether on Sunday the 18th five or six of the 106th Durham light infantry broke out of the barracks and attacked some civilians; and, whether under the circumstances he will exchange the present garrison of Belturbet with other soldiers, seeing that so much ill feeling seem to exist between the soldiers and the inhabitants?

Mr. CHILDERS: I have, Sir, been most careful to obtain a full Report on the alleged military riots at Belturbet, partly because the hon. Member himself took much interest, on the part of his friends, in the occupation of Belturbet as a Cavalry station, and it would be a satisfaction to me to be able to justify his partiality for this place. It is the case that there has been some ill-will between the roughs of that town and the military; and this was first illustrated by an altogether unprovoked assault on five soldiers on the 3rd instant. The soldiers escaped from the violence of the roughs into barracks, but the disturbance was renewed by some others, who rushed out to the help of their comrades, and in the *mêlée* unfortunately knocked down an unoffending man, who was badly hurt. The officer in command did his duty, and gave every facility for identifying the men, who were brought before the magistrates. Cross summonses were issued against the roughs; but it ended in all being dismissed. On the 15th there was a personal altercation between a soldier and a man who had before been on friendly terms. The man complained to the commanding officer, and the soldier was punished. On the 18th a woman came into barracks, and said that there had been a quarrel between some Linesmen and civilians. Great pains were taken to identify the supposed offenders, the men being twice paraded, but no one was identified, and I seriously doubt whether any disturbance had really occurred. The General commanding the district went to Belturbet, and investigated the circumstances on the spot, and we have full confidence in him, and shall act on his advice. As a matter of fact, the Hussars are leaving Belturbet for England in the ordinary course of relief, and not on account of these disturbances. I have every hope that we shall be able to meet the wish of the hon. Member and his friends, and keep a Cavalry force in this, to use his own words, "very healthy and well-situated town."

POOR LAW (IRELAND)—THE OUGHTERARD BOARD OF GUARDIANS.

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that, on the 25th of last month, the Oughterard Board of Guardians passed a resolution that the Carraroe evicted tenants should be offered outdoor relief on a labour test, and that each man should get a stone of Indian meal per diem for a period of one month; whether, notwithstanding this unanimous decision of the Guardians, the clerk of the Union informed the tenants that they would be allowed only one fortnight's work from the date of eviction; whether he did this without calling together a meeting of the Guardians; whether, in consequence of their having disobeyed the orders of the Guardians, the evicted tenants have been refused the stone of meal per diem for the last week's work they have done; and, whether the Local Government Board intend to recommend outdoor relief, or further employment for these people, who, at present, have nothing to earn and nothing to eat?

MR. TREVELYAN: The attention of the Local Government Board had already been given to this matter; and, finding that the clerk of the Union acted in the manner indicated by the Question, they have expressed their marked disapproval of his conduct, and have warned him that if he again interferes with the administration of relief in such an unauthorized manner it will lead to his dismissal. The evictions took place between the 16th and 15th of May, and consequently the period for exceptional outdoor relief has elapsed, and the Local Government Board has no longer power to recommend, nor the Guardians to grant, such in these cases.

MR. T. P. O'CONNOR said, he had a Question relative to the evictions in the locality for Thursday. Would the Chief Secretary for Ireland be in his place on that day?

MR. TREVELYAN said, he should not; but he would reply to the Question upon any other occasion.

NAVY—RUMOURED ACCIDENT ON BOARD H.M.SS. "MONARCH" AND "ALEXANDRA."

MR. W. H. SMITH asked the Civil Lord of the Admiralty, If there was any foundation for the rumour which prevailed at Portsmouth last night, and which was there generally believed in, that a serious accident, involving loss of life, had happened to Her Majesty's ships *Monarch* and *Alexandra?*

SIR THOMAS BRASSEY: There has been such a rumour; but I am happy to say it is entirely without foundation.

EGYPT—PREPARATIONS OF FRANCE.

MR. ASHMEAD-BARTLETT gave Notice that to-morrow he would ask the Under Secretary of State for Foreign Affairs, Whether he could give any information as to the alleged military preparations of France?

SIR CHARLES W. DILKE: I think it will be as well to say at once that I shall not be able to give any information on this subject. If I possessed any information I do not think it would be proper to give it. A similar Question was addressed the other day in the French Chamber to M. de Freycinet, and received a similar reply.

MR. ASHMEAD-BARTLETT said, in consequence of the reply of the Under Secretary of State, he begged to give Notice that on an early day he would ask whether there was any truth in the report of an intended joint military occupation of Egypt by England and France?

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 23rd June.*]

[NINETEENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART III.

GENERAL POWERS.

Clause 14 (Power of apprehending absconding witnesses).

Dr. COMMINS moved, in page 17, line 15, to leave out "justice," and insert "judge of the Supreme Court of Judicature in Ireland." The hon. and learned Member said, that the clause gave power to the Justices, wherever the witnesses had been bound over to give evidence under Clause 13—

> "If they saw fit, upon information being made in writing, and on oath, that such person is about to abscond, or has absconded, to issue a warrant for the arrest of such person, and if such person is arrested any justice, upon being satisfied that the ends of justice would otherwise be defeated, may commit such person to prison until the time at which he is bound by his recognizances to give evidence."

His Amendment proposed to place that power in the hands of one of the Judges of the Supreme Court of Judicature in Ireland instead of the Justices. He thought the necessity of the Amendment would be obvious to anyone who considered the nature of the two clauses, taken together, and the power proposed to be given. The power given to the magistrates was that of binding over any person to give evidence at the next Petty Sessions, or to appear when called upon to do so, even although there was no person accused of the offence in regard to which evidence was to be given, and no arrest had been made, and no definite time fixed or likely to be fixed for the giving of such evidence. Such a power was a very important one, and he had no objection to the exercise of it in a rational way; but when a magistrate had made an order and bound over a witness to give evidence, he bound him over to give evidence at some indefinite time. He would give an illustration as the best way of showing the enormous power given by the 14th clause, and the necessity of placing it in the hands of the Judges of the Superior Court rather than the Justices. He would take the late lamentable case which occurred in the county of Mayo—namely, the assassination of Mr. Bourke. In that case there were certain persons who saw four or five armed men leaving the scene of the crime after the murder had been committed. Suppose that one of the persons who saw them was able to identify one of them; he might be bound over to give evidence whenever any one of the assassins was apprehended, which might be to-morrow, or a month hence, or next year, or seven years hence. Notwithstanding this uncertainty, and the indefinite period which might elapse, the clause gave power to bind over a witness to appear and give evidence whenever the men were apprehended and the case was ready to be tried. But suppose that a man who was bound over wanted to come to England on his own business. It might be that he was one of those poor labouring men who were in the habit of coming over every year in order to work at the harvest in England. Well, the moment a police constable learnt that he was about to leave the country, he could apply to the magistrate, who would have power, under this 14th clause, to commit the man to prison until he was required to appear and give evidence. It was thus in the power of the magistrate to throw an innocent man into prison for an indefinite period; it might be a week, or a month, or a year, or seven years, and as far as he (Dr. Commins) could see, there was no power to obtain a discharge when the man had once been committed. Here, then, was a most important power which was proposed to be given indiscriminately to any magistrate on the loosest possible information. He submitted that the clause would give far too much power to the magistrates; and whenever it was necessary to have a witness committed, in order that the trial of a prisoner might not be defeated, the power of committal should be in the hands of the Judges of the Supreme Court of Judicature, and not of the Justices. All that would be involved by taking this course would probably be a delay of some 24 hours, because the evidence would have been taken already, and if it was feared that a witness was about to abscond, such evidence could be transmitted at once to any Judge who happened at the time to be sitting in Chambers or to the Judge who was most accessible at the moment. At the outside there would not be a delay of more than 24 hours. He thought it would do a great deal of good to take this power out of the hands of the magistrates and to give it to the Judges. No magistrate ought to have the power of exercising his own discretion in committing a person to prison for an indefinite period on a mere suspicion—which might, after all, turn out to be unfounded—that he was about to abscond. That was the spirit of the Amendment, and he thought it would commend itself to the Committee. He trusted that the Government would accept it, and, by so doing, confine this high-handed power within proper limits.

Amendment proposed,

In page 7, line 15, to leave out the word "justice," and insert the words "judge of the Supreme Court of Judicature in Ireland."—(*Dr. Commins.*)

Question proposed, "That the word "justice" stand part of the Clause."

MR. TREVELYAN said, the Amendment was a very simple one, and the opinion of Her Majesty's Government on it could be made up very rapidly, for the view of the Government was extremely clear—namely, that the adoption of the Amendment would weaken the clause. In the event of a witness withdrawing himself from the necessity of giving evidence on an important trial, or if a witness refused to be bound over to appear and give evidence, a single magistrate should have jurisdiction to commit him at once. That had already been settled by the last clause, and why should not the magistrate be likewise able to bind him over to appear, or to forfeit his recognizances in the event of not appearing? The hon. and learned Member had given no reason to induce the Government to accept the Amendment, and their acceptance of it would render the clause very nearly worthless. A witness might abscond with very little or no warning.

Question put, and *agreed to.*

MR. HEALY moved, after the word "oath," in line 16, to insert the words "from facts within the knowledge of the deponent."

Amendment proposed,

In page 7, line 16, after the word "oath," to insert the words "from facts within the knowledge of the deponent."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

MR. SEXTON said, he thought this was an extremely reasonable Amendment. The Justice, before imprisoning a witness, was bound to have information, on oath, and in writing, that such witness was about to abscond. It had been pointed out by the right hon. Gentleman that a person might abscond with very little warning; but, whether the witness was about to abscond with little or much warning, there must be some facts to show that he was about to abscond. The object of the Amendment was to provide that the person laying the information should not act upon mere suspicion, or upon a mere clouded apprehension, but that he should have some knowledge of facts that would entitle him to say that a person was about to abscond. It would be perfectly impossible for any witness to abscond without previously giving some token of what he was about to do; and he, therefore, thought that this was a very fair demand—namely, that the person giving the information and procuring the arrest of a witness should assign some reason for the belief he entertained. Instead of merely stating his belief, he should be required to supplement it by facts within his knowledge, so as to entitle the Justice to come to the conclusion that the witness was really about to abscond.

MR. TREVELYAN said, he had not risen when the Amendment was moved, because he thought it required some explanation before he proceeded to object to it on the part of the Government. The clause had been very carefully drawn, and, on the whole, he considered that it would be dangerous to insert the words proposed by the hon. Member for Wexford (Mr. Healy). Every information, like all the evidence, must be based on facts within the knowledge of the deponent. It would not be necessary that the whole circumstances of the transaction should be given in a simple deposition that A. B. was likely to abscond; but no deposition would be accepted by a responsible magistrate, unless it was based on facts within the knowledge of the deponent. The fear of the Government was that the Amendment might be construed to mean that certain statements of witnesses being about to abscond could not be accepted unless all the facts were within the knowledge of the person making the application to the magistrate. The acceptance of the Amendment under such circumstances might involve a serious danger, because the magistrate would not be allowed to use his judgment, as in ordinary cases, whereas it was extremely desirable that he should be so allowed.

Mr. DILLON said, he did not think the answer of the right hon. Gentleman at all satisfactory. They had an example of what a magistrate could do in regard to sworn depositions in the case of Mr. Clifford Lloyd, and still more so in the case of Major Bond. Mr. Clifford Lloyd, in a sworn deposition in reference to one of the Irish newspapers, swore a lot of things that were not founded on facts within his own knowledge, but upon extraordinary and eccentric information laid before him. He hoped his hon. Friend would persevere with the Amendment.

Dr. COMMINS said, he thought he could strengthen the argument by pointing out that one of the most recently-appointed magistrates in Ireland was a man who had filled a high position in England, but who was dismissed for swearing to facts which were not within his own knowledge. It was proved that Major Bond, the gentleman to whom he referred, had no knowledge of certain facts, although he swore that they were true. The result was that Major Bond was dismissed from the high position he held in England; but he was, nevertheless, considered a fit and proper person to exercise such functions as were to be given to the Resident Magistrates in Ireland under this section. Therefore, he contended that some little direction should be given to the magistrates that they were not to act on their own presumption, which might frequently lead them to mistake for facts what was mere hearsay, or individual prejudice. There ought to be something in the nature of facts within the knowledge of the deponent which could be put into an affidavit before this arbitrary power, to be vested in a single Justice, was exercised.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, there was nothing extraordinary or novel in the clause, which was simply copied from the Act of 1870, which in its turn was in the identical terms of the clause contained in the Petty Sessions Act.

Mr. LEAMY said, the right hon. and learned Member had remarked that this was not a novel provision, because it was copied from the Act of 1870, which in its turn was copied from the Petty Sessions Act. But the right hon. and learned Gentleman forgot to say that the Petty Sessions Act applied to an accused person, and not to a witness. That made all the difference. They were now proposing to apply the Petty Sessions Act to a person who was merely a witness, whereas in the Petty Sessions Act it was only brought in operation against a man actually accused of an offence. Look at it as they might, the proposal of the Government was to place a witness on the same level as a man accused of crime.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): An absconding witness.

Mr. LEAMY said, it was scarcely correct to say that the clause applied only to an absconding witness. It was quite sufficient if the person who gave the information was of opinion that the witness was about to abscond. There might be no truth whatever in the statement. The witness might have no intention to abscond, and because someone went to the magistrate and swore that a perfectly innocent man was not likely to turn up at a trial, that innocent man could be arrested and committed to prison. He thought the clause involved a serious interference with the liberty of the subject. The latter portion of it took away from the magistrates the power of committing a person to prison, if he was prepared to enter into recognizances to give evidence, or to produce sufficient sureties for his appearance. That provision modified the clause to a certain extent, but he thought it would be materially improved by the adoption of his hon. Friend's Amendment.

Mr. SYNAN said, he thought that some qualified words should be inserted in the clause. No man ought to be imprisoned on the mere suspicion or belief of another person, in the absence of facts. Of course, if no facts were set forth to justify the suspicion or belief of the person laying the information, everything would have to rest on the presumption of the magistrate or Judge. The question was what words ought to be used after the word "oath" in order to show that the facts were within the knowledge of the party making the oath. He thought that words to this effect might be substituted—

> "That the oath should set forth reasonable grounds and facts that the person is about to abscond."

The matter would not then be left to

the mere suspicion or belief of the person making the oath, nor to the discretion of the magistrates, who might otherwise act on suspicion without having any facts at all to go upon. If the Government objected to the words of the Amendment, he would ask them to insert, after the word "oath," these words—

> "Setting forth reasonable grounds that such person is about to abscond."

Such an Amendment, he thought, would satisfy the doubt which had been intimated by the Chief Secretary a few moments ago.

MR. HEALY said, he had moved the Amendment without saying a word about it, because he had thought it was so simple and self-evident that the Government would accept it. But even the fact that he had moved it without comment had been made a matter of complaint by the right hon. Gentleman the Chief Secretary, who said that the Amendment required explanation. He (Mr. Healy) had not said a word in defence of it, because he did not wish to bring forward matter that was incontrovertible. The cases of Major Bond and Mr. Clifford Lloyd, which had been mentioned by his hon. Friends, were notorious cases, and entirely justified the insertion of an Amendment of this kind. What was the excuse of the Government for refusing to accept the Amendment? The excuse made by the right hon. and learned Attorney General for Ireland was that it was a provision taken from the Act of 1870, and that the clause of the Act of 1870 was taken from the Petty Sessions Act. Was there ever such an excuse made before? What was it that was wanted? His Amendment was that the oath should be made on facts within the cognizance of the person who swore. Did the Government mean to say that the oath ought to be made on facts that were not within the cognizance of the man who swore? That was actually the position in which the Government now stood. It was rather too much to say that a person was to be sent to gaol for an indefinite period upon such information. As the clause stood, a man might be kept in prison not only for months, but for years. There had been cases in Ireland of persons accused of murder being kept 15 months in gaol before they were tried. Were they to have the witnesses keeping them company in gaol for all that time? He believed that Michael Barrett was kept in prison for two years without trial. He would put it to the Attorney General for Ireland whether it was the desire of the Government to detain a witness in prison on a flimsy affidavit without any substantial basis of facts? They all knew what the Irish Constabulary were capable of doing, and was a man to go gaol for an indefinite time because, in the belief of a police constable, he was likely to abscond?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): No.

MR. HEALY said, that was the meaning of the clause, which said—

> "Any justice, upon being satisfied that the ends of justice would otherwise be defeated, may commit such person to prison until the time at which he is bound by such recognizance to give evidence."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Go on; read the rest of the clause.

MR. HEALY: "Or until he produces other sufficient sureties, as the case may be, in like manner as before." By this clause they were giving the magistrates in Ireland greater power, in regard to the treatment of a witness, than was given to the Lord Lieutenant in reference to sending men into prison by the Coercion Act. Under the Act of the right hon. Member for Bradford (Mr. W. E. Forster), the Lord Lieutenant had only power to send a man to gaol for 18 months; but under this measure, the magistrate might send a witness to gaol for an indefinite time. Was this the way to treat the Committee? He thought it was not; and, moreover, the Government had not made the smallest announcement as to how these witnesses were to be treated when they were in prison. Were they to be committed to hard labour? There was nothing in the clause to show that they were not. He therefore asked the Government to give some explanation of what their intentions really were. He had no desire to go to a division upon the matter. All he asked was that a person laying an information against a witness should swear to facts within his knowledge.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he thought that the provision in the clause was a very reasonable one. The whole object of the clause was to prevent a witness from being made away with. It was neither to punish a witness, nor to make him amenable to any description of hard labour. He would simply be detained until he gave security for his appearance. He must either be forthcoming at the trial or the recognizance of his sureties would be estreated. Every witness was bound in his own recognizance to appear and give evidence; but if a man ran away, then the case fell through. A case of this kind came before him officially the other day. An important witness in a case quietly absconded after he had been bound over in his own recognizance. It was expected that the trial would come on in the ensuing Sessions, and although the witness was seen at 12 o'clock in the day, at 3 he was absolutely gone, whither, of course, no one knew, and there were no means in the world of bringing him back, or of getting his evidence so as to make it available in a Court of Justice. [Mr. HEALY said, that the authorities would have his bail.] It was not so. All they had was the man's own recognizance; and what was the value of that after the man had gone away? In such a case as that the ends of justice would, in all probability, be defeated. In giving this power, he apprehended that no magistrate would act unless the circumstances laid before him were such as to justify him in coming to the conclusion that the man was about to abscond. He hoped the Committee would accept the clause as it stood in the Bill.

MR. DILLON asked if they were to understand from the Attorney General for Ireland that the moment the witness was able to procure substantial bail from other persons he would be immediately released from gaol? That was a very important question. The position of the case was this. The right hon. and learned Gentleman said the object of the Government was to secure that the ends of justice should not be defeated. The Irish Representatives wished to secure that no witness should be taken and kept for an indefinite period in gaol after bail had been offered. If the Government would give an assurance that they would insert a provision empowering the magistrates to accept reasonable bail for a prisoner whenever it was offered, and that he would then be immediately released, such an assurance would go a long way towards disarming their opposition, and inducing them to withdraw the Amendment. The strong point in their contention was that a witness who had not committed any crime might be detained in gaol for an indefinite period.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, the clause was "or until security should be given." On security being given the witness would at once be released.

MR. HEALY asked what was to be the amount of the security?

MR. SEXTON said, the sufficiency of the security was left to the discretion of the magistrate. He hoped the Government would see their way to give the Committee some idea of what the sufficiency of the security was to be.

THE CHAIRMAN pointed out that an Amendment to that effect would come on for discussion afterwards.

MR. SEXTON said, the efforts of the Attorney General for Ireland to justify proceedings against witnesses under this Bill by what had hitherto been done in regard to accused persons threw a significant light upon the spirit in which the Act was likely to be administered. They all knew the affection of right hon. and learned Gentlemen opposite for any law that existed, and it was quite sufficient to recommend the clause to the Law Officers of the Government that a similar clause already existed in another Act of Parliament. But surely that was no reason why the Committee should not amend it. The fact that it was not a novel clause was no reason for not improving it. Its age was no proof of its perfection. Either the person who laid the information would have some reason for making an affidavit or he would not. If he had a reason, what objection could there be to the statement of it in the information? It might be that he had personal knowledge of his own as to the intention of a witness to abscond, or only knowledge of a secondary character and degree. Such an amount of knowledge might be satisfactory; but the facts on which it was based ought to be stated. He had no desire to limit the discretion of the magistrates; but he desired that that discretion should only be exercised on a statement of facts, and not on vague suspicion.

Question put.

The Committee *divided*:—Ayes 33; Noes 139: Majority 106.—(Div. List, No. 178.)

MR. HEALY moved, in line 21, after "evidence," to insert "being not later than three months from the date of such recognizance." His object in proposing this Amendment was a very simple one. A magistrate, under the clause, would have unlimited power to commit a person to prison, which unlimited power the Crown did not at present possess. The Crown had power over a witness up to the date of the trial coming on, but after the date of the trial it would be an unfair thing to keep witnesses in prison in the event of the Crown not being ready with their case. He had known instances where, if the Crown were of opinion that they could not get a good class of jurymen at the Summer Assizes, they had postponed a case until the Winter Assizes, and so on. Then, again, if they were of opinion that jurymen selected from a certain locality would be unfavourable, they deferred the trial, and changed the venue. Now, he thought there ought to be some guarantee that a magistrate should not have power to keep these persons in gaol from Assize to Assize, according to the manner in which a trial was postponed. He wanted to know what the intentions of the Government were, and he respectfully asked to have a clear and distinct statement from them whether this power was to be unlimited so long as the trial had not taken place?

Amendment proposed,

In page 7, line 21, after the word "evidence," to insert the words "being not later than three months from the date of such recognizance."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it was quite impossible to accept this Amendment. Take the case of a prisoner committed for trial immediately after the Summer Assizes; there might be no Assize for three months, or there might be no Winter Assizes at all, and the trial could not, therefore, come on until the Spring Assizes, and the witness would have ample time to run away in the meantime. At present the law under the Petty Sessions Act, required a witness to enter into recognizances to appear at the next Assizes. The object of the clause was to give the magistrate power to commit a witness until the trial, unless he entered into recognizances, and gave sureties to appear.

MR. HEALY asked if the right hon. and learned Gentleman was willing to insert in the clause "until the next Assize?"

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that would be unnecessary, as it was the law at present. The object of the clause was to prevent witnesses from being made away with. When the magistrates took evidence against a prisoner, and committed the prisoner for trial, they bound over the witnesses to appear and give evidence upon the trial; but, "although they took a horse to the water, they could not make him drink," and a witness might say, "I will not enter into recognizances to appear." If a witness said that, the magistrate was entitled to commit him until the trial took place; if, on the contrary, he merely entered into his own recognizance, he might abscond.

MR. HEALY said, that was perfectly true, and he knew very well how the law now acted, or was read. But the magistrate might interpret this new clause very loosely, and when the time for the trial came on, and it was found that the Crown were not ready to proceed with it, the magistrate might order a witness to go back to gaol and enter into fresh recognizances to appear again.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) pointed out that this provision had been in force upwards of 10 years, and had been applied by Judges and magistrates.

DR. COMMINS said, he thought the Attorney General for Ireland trusted a little too much to the fact of this being an old provision, and forgot that in Section 13 there was a power to bind a witness over, not to the next Sessions, but to whenever he might be called upon, which might be for a year or two, or even five years. Under the ordinary Criminal Law, the magistrate who took depositions bound over the witnesses in a certain amount to appear at the next Sessions or Assizes, and after that he had no more to do with the recognizances. The witness was bound to appear, and then there might be an enlargement of the recognizances. At present there was no power by which a magistrate or a Judge could exact such recognizances as this section proposed.

THE CHAIRMAN: The hon. Member for Mayo (Mr. O'Connor Power) has handed in an Amendment which cannot be put if this one is negatived.

MR. O'CONNOR POWER said, he would appeal to the hon. Member for Wexford to withdraw his Amendment in order that he might move his. As he understood the clause, it gave discretion to the magistrates to commit a witness to prison, or to release him upon sufficient sureties. He did not wish for Justices to have that discretion, but to provide distinctly that if a witness could provide sufficient sureties, he should no longer be detained in custody. His Amendment proposed to leave out all the words after "evidence," and insert "no such witness shall be detained in custody if he produce sufficient sureties." He thought that would be a much better way of expressing the power given to the Justices than that contained in the clause, under which, as he understood it, a magistrate would not be obliged to release a witness, even though he did produce sufficient sureties.

MR. DILLON said, he thought the hon. Member for Wexford ought not, under any circumstances, to withdraw his Amendment, because it was perfectly clear that some limitation of time was absolutely necessary, and should be stated distinctly in the clause. If there was no such limitation, a witness might be placed under bail, and not be called upon for five years.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, three months limit had been put into the Bill last Friday.

MR. HEALY said that referred to cases where persons were charged. The point made by the hon. and learned Member for Roscommon (Dr. Commins) had not been dealt with; there would be no limitation fixed for recognizances, and the witness would simply be exposed to be called upon, or he might be kept in prison for an indefinite period. The Attorney General had said he was willing to insert "until he otherwise," and the Irish Members were willing to accept that. There was a case in which a man had been kept in prison for two years; and Weldon and M'Hugh had been kept in prison for 15 months. Surely that was not what was desired. What he and his hon. Friends wished was to compel the Crown to bring prisoners to trial, and as the Government had their own Special Commission, to be issued by the Lord Lieutenant, such Commission could be issued at any time. It was, therefore, unfair to propose that witnesses should be kept in gaol more than three months.

THE ATTORNEY GENERAL (Sir HENRY JAMES) explained that where a person was charged, there would be no greater power under this section than existed in any ordinary case with ordinary circumstances, where a witness, either in this country or in Ireland, contumaciously refused to be bound over. Such a witness was bound over in certain terms, and the present proposal was in no way different from the ordinary practice. It simply meant that the witness should appear at the next trial, and that might be not only at the Assizes, but at the Sessions, or before a Special Commission. He should have thought the existence of a Special Commission would have lessened the inconvenience; and, whether that was so or not, the Bill only applied to the general law dealing with contumacious witnesses as it was in England. He thought no ground had been shown for an alteration.

MR. DILLON said, he could not understand what, if that was so, was the object of this clause. It was simply wasting the time of the Committee upon a clause which simply reiterated the ordinary law. The object of the Amendment was to guard against a person being detained; and if the Lord Lieutenant had extraordinary powers for bringing trials on rapidly, there should be no objection to putting in a limitation of three months, during which the witness was to be bound to give evidence. If the Lord Lieutenant did not trust a jury, he could issue a Special Commission at any time. In the case of the murder of Lord Leitrim, the prisoners M'Grenahan were detained until one died of typhoid fever and another was ill with the same complaint. Bernard M'Hugh suffered seriously in health during his six months in prison, and it was exceedingly likely that in the case of the murder of Lord Leitrim, and of Mr. Young, the sureties offered would not be of a character which would be accepted by the Justices as sufficient. What was aimed at now was to provide that no witnesses under this clause should be kept in prison longer than three months.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) explained that in ordinary cases witnesses were bound over to prosecute, as it was called. That meant that they were bound to appear at the trial whenever it took place. If a witness did not appear, or give an intimation that he did not intend to appear, his attendance was secured by sureties or by committal to prison. They now had to deal with another class of cases—namely, cases of witnesses who intended to abscond. The period of detention would be defined not as three months, or at the next Assizes, but the next trial whenever that took place, and there was far more security now than there had been for an earlier trial.

MR. LEAMY said, there was no obligation on the Lord Lieutenant to bring on an early trial, and what was wanted was that the witness should not be kept in prison.

MR. MACFARLANE said, the question was not whether the Justices at present had power to commit a witness who had not produced recognizances, and whom the Court could arrest if it came to the conclusion that such a witness intended to abscond. It was a question whether this clause was not more powerful than the last, and he could not understand why the Government should wish to postpone a trial for more than three months. What was objected to in this clause was an absence of a limited period during which a witness might be committed to prison. Nobody could object to a reasonable time for bringing a prisoner to trial; but one year, two years, or more, was much too long a time.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the accused person must be brought up for trial within two months of arrest, under this special tribunal.

MR. HEALY said, he thought that fact was good as to persons to be charged before a jury; but the Crown wished to punish witnesses in this case where they had no evidence. That was the case with the prisoners charged with the murder of Lord Leitrim, and in the case of the Boyds; and in the latter case, against whom there was no evidence, one had become raving mad. If three months was not long enough, then four might be given; and it could not be said that that was not enough for bringing a prisoner up for trial under any circumstances. This was a matter of great importance, and the Government were not acceding to anything. They said this was the ordinary law. If that was so, why should they not make this clause simply declaratory? But there was something in the mind of the Attorney General which could not be got out, and he should go to a division.

MR. SEXTON said, the Amendment to which the Attorney General referred gave no satisfaction at all, because it only provided that persons to be tried by a Special Commission should be tried within two months, and then the Special Commission might postpone the trial for any cause they deemed sufficient. In any case this Amendment touched the complete irresponsibility of the special tribunal. He could not understand the course taken by the Government on this clause. The Attorney General for Ireland said he was willing to accept the words "until the next Assizes."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he had only suggested to say "until the trial."

MR. SEXTON said, that, of course, begged the whole question, because there was no assurance when the trial would take place. A person might be imprisoned on evidence which might disclose no facts, but merely an impression, and no option of recognizance might be given to the witness. The Government said three months was not a sufficient time, and he would invite the Committee to consider the enormous power the Government had of bringing their case to trial; in regard to minor cases they had stipendiary magistrates, and for graver offences they had the Assizes or a Special Commission, which might sit when they liked. There was no security that a witness might not receive, at the hands of the Justices, a heavier punishment than the accused person. Suppose the Lord Lieutenant or the Chief Secretary was not satisfied with the evidence given before a Special Commission, and sent the prisoner to the Assizes, the Judges might be glad to have a postponement on the mere application of the Government, and they might postpone the trial from Assize to Assize, or from year to year; and, in that way, a man who was merely a witness might lose his life. This was an extremely important Amendment, which touched the whole question of whether the magistrates should be allowed to impose torture upon people under this clause. He had no objection to the argument of the Attorney General, that it was necessary to have the witnesses in Court when the trial took place, and he only asked that a witness should not be subjected to unreasonable and uncertain imprisonment.

Mr. DILLON said, he did not think the Government had given any sufficient reasons for refusing to accept the Amendment. They had endeavoured to wriggle out of the position in which the clause placed them; and no Member of the Government had touched on the real question at all. With regard to bail, the Government might require such an amount as it would be utterly beyond the power of poor men to provide; and, in consequence, those men might be sent to prison. The Government had given no answer whatever to the complaints made against what was the well-known system in Ireland, and there was no use in talking about what was the practice in England, because it was well known in Ireland, when the Government could not get evidence, for them to remand the prisoner from Assize to Assize, until they might have inflicted one year or two years' imprisonment upon a man. That was done so frequently that it was the well-known proceedure of the Courts. A constable swore an affidavit that he had reason to believe that important evidence was about to be brought forward. That was all that was asked for; and there had been cases over and over again in which a constable had demanded, without the slightest justification, a summons against a witness without being asked for any statement of his grounds for so doing; and the witness being brought forward, and not giving any evidence, was remanded as often as the Crown chose to propose. The punishment of being kept in gaol as an untried prisoner was a punishment of the gravest kind, and he had known men who had told him that they would rather have had a year of penal servitude than a year's imprisonment as an untried prisoner, because solitary imprisonment had a worse effect than a year in a convict prison. As the clause now stood, there was no security that a person would not be sent to prison for a year or two, as had often happened. It was no use for the Government to talk about justice; would they give an assurance, or insert some words providing that no witness should be held a prisoner under the clause for more than three months? Surely that was a reasonable request to have conceded; it would disarm much of the opposition. The Attorney General had said the latter part of Clause 14 was simply a re-enactment of the law in England; but, as he understood, the law in England had a Petty Sessions. When a witness was called the magistrate might put him upon his own bail to appear at the trial, and then he was free to do as he liked. Unless his recognizances failed, he was a free man until the trial, and then if he was not forthcoming he forfeited his bail. But under this clause any man who was to leave his own district for business purposes would be liable to imprisonment on the suspicion of an intention to abscond. This feature was now introduced for the first time into an Act of Parliament, and a man whose business required him to be in different districts might be placed for an indefinite period under police control, and if he expressed any intention to leave his district on business, the police could instantly swear that he intended to abscond, and he would be arrested. By the last Amendment accepted by the Government, hon. Members were debarred from requiring any reasonable grounds for a policeman's statement of belief. He had merely to state his belief, and the man against whom he made the statement could be at once arrested and taken before a magistrate. A man might be sent to prison and held there until the trial, which might not come off for 15 months. All that was now asked for was that where they had witnesses in prison waiting for trial, that trial should come off at the next Assizes, and should not be postponed indefinitely, waiting for fresh evidence. As the clause stood at present, there was no security that a witness might not be kept in prison for five years.

MR. O'CONNOR POWER said, he wished to ask a question on a point essential to this discussion. He wanted to know whether the clause meant that a magistrate was to have the power of refusing sufficient bail? That was a very important question. The clause said that the magistrate might commit the witness to prison, or might accept sufficient sureties. Would the Government consent so to alter the wording of the clause as to make it run—"unless he produces sufficient sureties?" There were really two points raised in this matter—first, as to whether the Justice should, under any circumstances, have a right to refuse sufficient bail; and, secondly, no matter what the amount of bail might be, the witness should not be imprisoned for a longer period than three months. These were two distinct questions, and as to the first of them he thought the Government might be expected to make a concession.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, no reasonable amount of bail could be refused; and if such reasonable bail were refused, the person concerned could appeal to the Court of Queen's Bench, and have the magistrate's order quashed. But it was utterly impossible to fix anything in the Bill as to what should be the specific amount of bail.

MR. O'CONNOR POWER said, he did not ask the Government to define exactly what should be the amount; but only to alter the clause so as to make it say that a Justice should not commit a witness to prison if that witness could produce sufficient sureties. As the clause stood, the Government appeared to say to the magistrate—"Commit him to prison, if you like, and refuse any amount of bail, if you like." If that were not the position of the Government, why, he asked, did they adhere to language which failed to convey their intentions?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the language used was the language ordinarily used in such cases, and if it were altered, the very doubt suggested by the hon. Member would be created. It was much better to keep to the ordinary and well-understood language.

THE CHAIRMAN: There are one or two Amendments on this point which will come on afterwards; for the present we must discuss the Amendment before us as to the three months.

MR. LABOUCHERE said, it was proposed to insert the "first gaol delivery" instead of the "three months," and he did not understand why the Government did not accept that. It had been stated by the hon. Member for Tipperary (Mr. Dillon) that it was the habit of the Government in Ireland to put off a trial from one gaol delivery to another. Was that the case? Was it true that at the pleasure of the Government a man was held in prison beyond the period absolutely necessary—that was to say, beyond the first gaol delivery? If it was not intended to carry out some such system as that, he could not understand why, in order to facilitate the progress of the Bill, they could not accept the proposal to insert the words "first gaol delivery" instead of the words "three months." Was it the habit in Ireland to put off trials from one gaol delivery to another when the prosecution at the first gaol delivery had not obtained sufficient evidence? Was that the reason why the Government refused to accept the amended Amendment?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): The law in England and in Ireland is precisely the same. There is not a particle of difference between them on this point. There are certain conditions and circumstances under which a trial may be postponed, and unless those conditions exist, a man is entitled to be tried, or discharged.

MR. O'DONNELL said, this was no answer at all. It was admitted that the law of the two countries on this point was the same; but the practice was very different. He was acquainted with scores and scores of cases in which trials had been put off in this manner from gaol delivery to gaol delivery. The fact was, that the Government were determined to make sure of punishment whether guilt was proved or not. However, it was of no use asking the Government for concessions upon the matter. The hon. Member for Northampton (Mr. Labouchere) had asked why it was that the Government did not grant a reasonable concession? The reason was that there was a secure majority at the back of the Government, and any act of cowardly and abject tyranny practised in Ireland would have the support of the Liberal Party. He believed it would not be in Order on this Amendment to refer particularly to the treatment of prisoners; but he would only say that the refusal of the Government to secure the freedom of witnesses was simply a return to the old principle of evidence under threat of torture. Evidence under threat of torture, which was now introduced into the Irish administration of the Government, was a modern illustration of the principle of the school of Charles James Fox, which came very well from the present Chief Secretary for Ireland. Her Majesty's Government would only reap this result from the barbarity of their Bill—that they would find it to be an infinitely less efficient measure, when crowded in this way with barbarities merely introduced for the sake of ornament. It would be an infinitely less efficient weapon against crime than if the Government had accepted Amendments which would have placed the conscience and the feeling of the people on the side of the law. The Government, however, would go their own way, and they would probably come to the same disastrous end in their domestic policy that they had come to in their foreign policy.

Mr. T. C. THOMPSON said, the hon. Member for Northampton (Mr. Labouchere) had suggested that the trial should take place at the next gaol delivery. But supposing that at the next gaol delivery the prisoner found his evidence incomplete, and wanted a postponement? If the witnesses could not be bound over for a longer period, the Judges would naturally say — "We would gladly postpone the trial, but the law has taken away from us the power to do so;" and there would thus arise considerable inconvenience and perhaps danger to the prisoner. He (Mr. T. C. Thompson) would, therefore, suggest that the witnesses should be bound over until the next gaol delivery in every case except when, at the request of the prisoner, the trial was ordered to be postponed.

Mr. DILLON said, the Attorney General for Ireland had made a most extraordinary statement—one of those extraordinary statements to which they had been so frequently accustomed—about the law being the same in the two countries. They knew that the law was exactly the same, but the practice was tremendously different. It was notorious in Ireland that the prosecution could get any postponement they chose to ask for, and they were in the habit of asking for it continually. He knew that in November last, there were 61 prisoners for trial at the Cork Assizes. Some of them were tried, but no less than 41 were left in prison and their trials postponed, and those men were to this hour in Cork Gaol. The Government had their two informers on the spot at the time, but he thought it would be some time before they got another informer to go to Cork. Those 41 young men had been lying in Cork Gaol from that hour to this, waiting until the Crown took it into its head to try them, and they might be there for the next two years, notwithstanding all that their friends could do to get them tried. This was the sort of thing that it was sought to guard against, and it was absurd to talk of the law being the same for the two countries when they knew that the practice was so different. There were 41 young men lying from November last until to-day in Cork Gaol because the Government knew that they could not and never would be able to convict them. It was now proposed that the Lord Lieutenant should be able to give them a good dose of imprisonment before they were discharged. And not only were the prisoners to be imprisoned at the discretion of the Government, but a little term of imprisonment was also to be given to God knew how many witnesses!

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the men in question were not arrested in November last, but during the time when the Winter Assize was actually being held, and, therefore, they had to be detained until the next gaol delivery.

Mr. SEXTON: They were arrested in December.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the Winter Assizes were going on in January as well as in December, and the trial had to be postponed to the Spring Assizes, due notice being given to the prisoners.

Mr. GILL said, he could not understand why the Government would not accept this very reasonable Amendment —one of the most reasonable that had been proposed. The refusal of the Government to accept it was altogether inconsistent, in his opinion, with the promise they gave the other evening that no evidence given by a witness should be used against himself. He was now to be punished in anticipation for his evidence, and the less important that evidence was the greater the punishment would be, because where the evidence was really important and conclusive, the accused person would be very quickly brought to trial; but where the evidence was not sufficiently conclusive, the trial might be delayed for months, and the witnesses kept in prison all the time. All this might happen because the witness was about to give evidence against another person, whereas, if his evidence incriminated himself, he could not be put on his own trial at all.

Mr. CARBUTT appealed to the Government to reconsider this question, and make some concession. If they did not, he should be obliged to vote against them.

Mr. BIGGAR pointed out that the prisoners detained in Cork Gaol were not even tried at the Spring Assizes, for an application was made by the Crown upon affidavit that the trial should be postponed, and it was postponed accordingly. The trial, therefore, could not now take place until July, some six or seven months after the arrest. There was no certainty that the trial would even then take place, for there might be a similar application made again for postponement.

Mr. O'KELLY said, he hoped the Government would not give way. The Amendment was altogether a mistake. If the clause passed as it stood, there would be no bail whatever given in Ireland for the future, and the Government would have done their very best to defeat their own object.

Question put.

The Committee *divided*:—Ayes 48; Noes 197: Majority 149.—(Div. List, No. 179.)

Mr. O'CONNOR POWER moved to omit, in line 22, the words "or until," for the purpose of inserting the word "unless." The clause, as it read, was that a witness might be arrested if it was apprehended that he intended to abscond, and he might be committed to prison until he produced sufficient sureties. The Amendment would make the clause read—"unless he produced sufficient sureties," &c. He would not contest what the Solicitor General for Ireland had said some time ago about the phraseology of the clause being in accordance with the Act which regulated the Petty Sessions Courts; but he would impress upon the Committee that that was an exceptional measure, that it dealt with exceptional circumstances, and if there was no difference, as a matter of fact, still it would be as well to use language that would be popular and well-understood, if that language could be introduced without changing the object of the clause. His object in proposing this Amendment was that a Justice of the Peace should not have the power of committing a witness to prison in the event of his being able at any time to produce satisfactory and sufficient sureties for his appearance.

Amendment proposed, in page 7, line 22, leave out the words "or until," and insert the word "unless."—(*Mr. O' Connor Power.*)

Question proposed, "That the words 'or until' stand part of the clause."

The ATTORNEY GENERAL (Sir Henry James) said, the part of the clause to which the Amendment applied related to the giving of sureties in the case of a man who was bound under recognizances to give evidence. The words, as they appeared in the clause, were the words of the Act of 1870, and if the hon. and learned Member would examine them carefully, he would see that the object he had in view was entirely carried out by the words as they stood. They gave power to a magistrate, if he had information, in writing and on oath, that a witness was about to abscond, or had absconded, to issue a warrant for the arrest of such person, and if such person were arrested, then any Justice, upon being satisfied that the ends of justice would otherwise be defeated, might commit him to prison until the time at which he was bound by such recognizances to give evidence, or until he produced other sufficient sureties? The hon. and learned Member proposed to strike out the words "or until," and make the clause read in this way—That a Justice might commit such person to prison until the time at which he was bound by his recognizances to give evidence, or unless he produced other sufficient sureties. The same object would be attained, he thought, by the clause as it stood, which meant that the witness was to be committed unless he produced sureties at the time of his committal, and if he produced them afterwards, then he would be released. He thought it would be better to allow the clause to remain as it was, so that a witness should have power to produce his sureties either at the time of his committal or at any other time. The Government wished to carry out the same object as the hon. and learned Member had in view; and the only difference between them was that the Government thought the clause, as it stood, would carry out the object better than the Amendment.

Mr. T. P. O'CONNOR said, that if the magistrates would interpret the clause as the hon. and learned Attorney General did, his hon. and learned Friend the Member for Mayo (Mr. O'Connor Power) would be justified in withdrawing his Amendment; but he thought the interpretation of the hon. and learned Attorney General was not altogether correct. The clause, as it stood, provided that the magistrates should have a choice between two courses—namely, that they should either keep a man in custody or accept bail for his appearance. The words were—

> "Until the time at which he is bound by such recognizance to give evidence, or until he produces other sufficient sureties."

In the first case, the clause meant until the trial came on; but then it went on to say—

> "Or until he produces other sufficient sureties, as the case may be, in like manner as before."

And he could only interpret that to mean that the magistrate would have power to keep a man in gaol until it pleased the Executive authorities to let him out. He hoped his hon. and learned Friend the Member for Mayo would persevere with the Amendment.

Mr. O'CONNOR POWER pointed out that cases might arise under the Act where a witness would not have the benefit of the clear and certain interpretation of the law which the House of Commons always received, and was entitled to expect, from the Attorney General for England. It must be borne in mind that Justices of the Peace were only men of average ability, and many of them were without legal training. He had frequently been in a Court where their decision had been made to depend upon the opinion of the Justices' clerk. The magistrates had had to rely upon that officer for whatever legal information he could toss up to the Bench on the spur of the moment. Therefore, in dealing with the liberty of the subject in Ireland in this exceptional manner, he thought the language of the clause should be made so that everyone could understand it. The hon. and learned Attorney General had certainly given an interpretation of the clause which he (Mr. O'Connor Power) was unable to follow. He was quite unable to see that the word "unless," which he proposed to substitute, conveyed the same meaning as the words "or until," which he proposed to strike out. It appeared to him that if the word "unless" were inserted, the Justices would have a clear instruction on the language of the clause itself to accept bail, and when bail was accepted the procedure would be shortened.

Mr. T. P. O'CONNOR remarked, that if there was a dispute about the words of the clause, and the Amendment moved by his hon. and learned Friend the Member for Mayo were accepted by the Government, he presumed his hon. and learned Friend would consent to the insertion of such words as would obviate the difficulty pointed out by the Attorney General. There was only one thing that the Irish Members wanted. If the Government accepted the principle for which his hon. and learned Friend contended, let them use such clear and indisputable words that he who ran might read. Personally, he (Mr. T. P. O'Connor) claimed to be as intelligent as an ordinary clerk who might be called upon to give the law to the Justices, and his interpretation of the clause certainly was that it left a choice of two courses. He therefore thought it would be an improvement, and that it would make the clause more clear and intelligible, if the words "or until" were left out, and the word "unless" substituted.

The ATTORNEY GENERAL (Sir Henry James) said, he thought the matter was perfectly clear as it stood, and, as he had already pointed out, the object of the Government and of the hon. and learned Member for Mayo (Mr. O'Connor Power) was the same—namely, that the prisoner should not be committed if he were prepared to produce sureties. His only objection to the substitution of the word "unless" for the words of the clause as they stood, was that it would create more difficulty than now existed. But if the hon. and learned Member would withdraw his Amendment, he would consider the matter, and see whether some different words might not be introduced into the clause to carry out the object aimed at.

MR. O'CONNOR POWER said, he saw no objection to that course, and would withdraw the Amendment.

MR. FIRTH suggested that both words might be put in, and that the clause should be made to run—"unless or until."

MR. MARUM said, he thought the difficulty would be obviated by inserting the words "unless at any time."

Amendment, by leave, *withdrawn.*

MR. HEALY moved, in page 7, line 22, after "sureties," to insert the words "to an amount not exceeding the amount of the original recognizance." He presumed that the witness who it was thought was about to abscond would be required to give substantial recognizances, and that his sureties would not be men of straw; but it was important, as all parties concerned might be very poor men, that the amount of the recognizances should not be out of proportion to their means. He supposed that the intention of the Government was to make the persons who were accepted as bail give sureties equal in amount to that of the men whom it was proposed to commit.

THE ATTORNEY GENERAL (Sir HENRY JAMES) intimated that that was so.

MR. HEALY said, then it was not too much, he thought, to ask that this Amendment should be adopted, and that the bail of the sureties should be in amount not exceeding the amount of the orginal recognizances. Suppose that a man were bound over in the sum of £10, it would not be too much to ask that the other persons should be bound over in a similar amount. He trusted the Government would see no objection to the acceptance of this Amendment. He wanted to prevent vindictive recogninizances being imposed. The magistrates might impose a recognizance which it would be utterly impossible for a poor man to provide, and if they had agreed to accept £10 in the case of the original recognizance, he thought they ought to limit the other sureties to the same amount.

Amendment proposed,

In page 7, line 22, after the word "sureties," to insert the words "to an amount not exceeding the amount of the original recognizance."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the only object of the clause was to secure that the sureties should be sufficient, and the sufficiency of the sureties must depend on the character of the cases, the nature of the charge, the responsibility of the persons proposed as sureties, and the position of the person who was required to appear as a witness. How could they best arrive at the sufficiency of the sureties? Was it not by considering each case as it arose, and ascertaining what would represent sufficiency? If the Committee laid down an arbitrary sum as the sum that would be sufficient, they might impose a very great degree of hardship upon individuals. Suppose a magistrate, in the first instance, said that he thought the original personal sureties ought to be very high, say £200; if the Committee accepted the Amendment, they would declare that the other sureties should be to the same amount; and although the witness himself might have given sufficient recognizances, it would be impossible to carry out the provisions of the clause unless the persons he proposed as his sureties gave recognizances to the same amount. That would be the effect of accepting the Amendment of the hon. Member for Wexford (Mr. Healy). That Amendment provided that the magistrates should exercise no discretion in consideration of the poverty of the individuals tendered, but that a hard-and-fast line should be drawn, and that in every case the recognizances of the sureties should be to the same amount as those of the witness himself. He thought it would be very indiscreet to accept the Amendment.

MR. HEALY said, that the usual amount of recognizances required in a case of this kind was £20. That being the case, did the Attorney General mean to say that the magistrates were going to depart from the ordinary practice? The argument of the hon. and learned Gentleman was that magistrates in Ireland, knowing that a witness was likely to abscond, would put down the recognizances at an amazingly high figure. The ordinary recognizances were £20. A man might be able to provide sureties to a similar amount; but if the recognizances were put down at a much higher rate, it would be impossible for him to obtain sureties at all. Then, why should not the Government accept the Amendment, which provided that the recognizances of the two sureties should be taken at an amount equal to that of the original recognizances, that amount being a reasonable amount? The arguments of the Attorney General seemed to him to be perfectly incongruous and inconsistent.

Mr. DILLON said, it would be altogether impossible for a poor man to enter into recognizances or to provide sureties to the amount of £50. They might just as well ask a poor labouring man or a small farmer to give recognizances to the extent of £100,000. It would be perfectly possible to get two sureties to the extent of £10 or £20, although in many cases even that small sum would be provided with great difficulty; but if they required sureties to a higher amount, the only result would be to exclude all poor persons from every chance of obtaining recognizances. His complaint against the clause was that it would affect the poor man very heavily. He desired to put a question to the hon. and learned Attorney General. He (Mr. Dillon) had studied the clause carefully, but he confessed that he altogether failed to understand it. Under Clause 13, power was given to the Justices to summon witnesses to appear before them, if they had reason to believe them to be capable of giving material evidence concerning any offence, and, if they saw good cause, they might bind such person over to appear and give evidence at the next Petty Sessions or when called upon. Supposing then that, under Clause 14, information was given that a witness was about to abscond, or had absconded, the Justice had power to issue a warrant for the arrest of such person upon information being laid in writing and on oath. But supposing that no individual had been arrested for the crime, and that no person had been charged with an offence, the information might still be laid in writing or on oath before a Justice or any Criminal Court, and the witness would be bound by his recognizances to give evidence before the Justice or before a Criminal Court. What he wanted to know was whether the clause could be brought to bear against a witness when no person was charged with an offence, and could the witness be put under bail, or be put in prison and bound over to appear and give evidence in case a person might be subsequently arrested and charged with the offence? Could Clause 14 be brought to bear against a man who, it was presumed, was in a position to give evidence, when nobody was charged with the offence?—because, if so, a man might be kept in prison under this rule of bail for many years—in point of fact, for an entirely indefinite period, because nobody might be charged at all, and no trial might ever take place.

The ATTORNEY GENERAL (Sir Henry James) said, he had endeavoured to answer previously the question which the hon. Member for Tipperary (Mr. Dillon) now put to him. If the hon. Member would refer to line 10 of the 13th clause, he would find that the words "within three months" had been inserted, so that the power would only extend over a period of three months. The clause now read—

> "The law relating to a witness when summoned within three months before a justice having jurisdiction, and required to give evidence concerning the matter of an information or complaint, shall apply to a witness summoned under this section."

Mr. DILLON asked if he was to understand that, supposing a witness within three months was summoned to give evidence, and it was then feared that he was about to abscond, he could be proceeded against, and at the end of the three months be discharged if nobody was arrested?

The ATTORNEY GENERAL (Sir Henry James) said, that, without doubt, that would be so. He could not be kept in prison one hour beyond the three months.

Dr. COMMINS said, it appeared to be obvious to him that a man might be brought up every three months for 30 years, as regularly as the seasons came round.

Mr. T. P. O'CONNOR supported the Amendment proposed by his hon. Friend the Member for Wexford (Mr. Healy). He thought the Government might fairly fix some figure in regard to the recognizances of sureties, and his reason for saying so was this. He had proposed an Amendment on Clause 13 to provide that the recognizances of sureties should not be more than £10, and the right hon. Gentleman the Chief Secretary for Ireland accepted an Amendment to that effect on line 8 of the clause.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, he believed that Amendment applied to the 9th clause, which made provision for the arrest of strangers found under suspicious circumstances, and required such a stranger to give security by entering into a recognizance with sureties to keep the peace and be of good behaviour.

Mr. T. P. O'CONNOR said, he found that he was mistaken, and that the Amendment to which he referred did apply to the 9th clause.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) remarked, that that was a different matter altogether.

Mr. T. P. O'CONNOR said, that by the 9th clause they required a stranger who was arrested under suspicious circumstances to give recognizances for six months; but he contended that a witness was much less dangerous than a stranger who might be suspected of being engaged in crime. If, therefore, it was sufficient for a stranger, found in a district under suspicious circumstances, to provide sureties to a limited amount, then, *à fortiori*, the same amount of recognizances should be accepted in the case of the sureties for a witness. As the clause now stood, it might be fixed as high as £50; and he quite agreed with his hon. Friend the Member for Tipperary (Mr. Dillon) that the fixing of a large amount of recognizance in the case of a man of the labouring class would simply mean perpetual imprisonment. He hoped the Government would consent to put words into the clause to limit the sureties, in the case of poor persons, to £5 each.

Mr. TREVELYAN must say that he saw a great difference between the provisions contained in Clause 9, and the provisions the Government were now asked to make in Clause 14. In the case of a stranger there would be no charge whatever against him in ordinary times. The only object of this clause was to give strangers a thorough warning, and to secure that there should be no really suspicious and dangerous persons hanging about a district at a time when, in a certain locality, every person was required to account for his proceedings in order to preserve the safety of the public. This was a very different case. Here an offence, and, presumably, a grave offence, had been committed, and the first public duty and first public interest of everyone concerned was to secure the appearance of the witnesses and the satisfaction of justice, and the Government could not waive those words, which extended such security as should be sufficient for that purpose. They had no reason to believe that this clause would be abused, or that more security would be exacted than would provide that a man should give evidence in the case of a trial of one of those grave offences which had so frequently escaped punishment in Ireland in the past. He thought it was absolutely essential that when the interests of justice demanded that evidence should be given for the punishment of criminals convicted of grave crimes that evidence should be forthcoming.

Mr. PARNELL said, the point which had been raised by his hon. and learned Friend the Member for Roscommon (Dr. Commins) was worthy of attention. As the clause stood at present, it would be perfectly possible, and, indeed, very probable, that a witness, after having been bound over to appear and give evidence under Clause 13, at any time within three months, would, under Clause 14, be imprisoned on suspicion that he was about to abscond, and he might at the end of the period of three months be again brought before the Justices at Petty Sessions, without any interval taking place between his release and his re-appearance before the Court of Petty Sessions. He might be again summoned before the Court of Petty Sessions, again bound over to give evidence within another period of three months, and again sent to gaol for three months without any appeal whatever. There was nothing whatever under Clauses 13 and 14 to prevent that. He thought some provision ought to be inserted in the clause to prevent any man from suffering more than three months' imprisonment under a provision of this sort. If it was the intention of the Government to imprison a man for more than three months under the clause, they ought distinctly to inform the Committee that that was so. If it was not their intention to take power to imprison a man for more than three months, then he thought the clause required amendment.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) understood the suggestion to be this—that, under the 13th section, when an offence had been committed, there was power on the part of a Justice to summon a witness to appear before him, and to bind him over by recognizances to appear and give evidence at the next Petty Sessions. But the power given to the Justice of requiring a witness to enter into recognizances was strictly limited to a period of three months. When that was done, the effect and power of the clause would be fully expended, and there was no power to commit the witness again. If it was apprehended that the witness was about to abscond, then the 14th clause came in to enable the Justice, or any Criminal Court, upon information in writing and on oath, that such person was about to abscond or had absconded, to issue a warrant for the arrest of such person and to commit him to prison until the time at which he was bound by recognizances to give evidence or until he produced other sufficient sureties. But the Justice could not go on continually calling upon him to appear before the Court. He had no authority to do that except in one case, and that one case was provided for under the 13th section of the Bill. The effect of that section would have passed away after one imprisonment.

MR. STOREY asked if he was to understand the Solicitor General for Ireland to assert that, supposing the magistrates were of opinion that a witness was about to abscond, and bound him over to appear, after the three months had expired, if it came to the knowledge of the magistrates that he could give evidence, they would not have power, under the 13th clause, to bring him up before them again? After the first three months had expired, if the magistrates had reasonable suspicion that a particular witness had knowledge and could give evidence with respect to a criminal offence, did the Solicitor General for Ireland mean to say that they would be precluded from bringing him up again? If that were so, he thought it would be a serious loss to the cause of justice; and, if it were not, then he thought all the contention raised by hon. Members opposite would follow as a matter of course, and that a man could be committed again and again, and kept in prison as a witness for an indefinite period.

DR. COMMINS said, that Clause 13 provided that a magistrate might, within a period of three months, summon to appear before him—

> "Any person within his jurisdiction, whom he has reason to believe to be capable of giving material evidence concerning such offence, and he may examine such person on oath concerning any such offence, and, if he see cause, may bind such person by recognizance to appear and give evidence at the next petty sessions, or when called upon; and the law relating to a witness when summoned before a justice having jurisdiction and required to give evidence concerning the matter of an information, or complaint shall apply to a witness summoned under this section."

He contended that, under this clause, a witness might be summoned every three months within three years or 30 years. As soon as the first three months were over he might be summoned again.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought it was quite clear that no person could be proceeded against more than once for the same offence. The question was whether they would be able to do the same thing twice over, and he said most distinctly that that would not be permitted under this clause. There was a power given to the magistrates to summon a witness before them, and examine him, and take his evidence. There was also a power, if they suspected he was about to go away, to bind him over to appear, so that the ends of justice should not be defeated. But they could not take recognizances for his appearance a second time. The man would be able to say, "I have given my evidence already. I have no more evidence to give," and the Justice would not be able to deal with him a second time.

MR. T. P. O'CONNOR said, that was just the point—whether the Justices would or would not be able to deal with a witness a second time. The witness might have more evidence to give, and, as Clause 13 stood, the Resident Magistrate had power to summon before him any person within his jurisdiction whom he had reason to believe capable of giving material evidence concerning an offence. If an offence were committed, a witness might be brought before the magistrates and give certain evidence. Three months might elapse before any person was taken into custody and charged with the offence; and he presumed that, notwithstanding this fact, the witness could be brought up and required to give material evidence concerning the offence. The Justices would have the right of summoning anybody they had reason to believe capable of giving material evidence, and material evidence might be evidence in addition to that already given by the witness. Therefore, as his hon. and learned Friend the Member for Roscommon (Dr. Commins) had properly said, a witness could be brought up time after time, if it was anticipated that he was able to add anything to the evidence he had already given.

Mr. MARUM disagreed with his hon. Friends. It was a statutable point, and it was impossible to go one word beyond it. In Common Law there was no power to act in the way suggested by his hon. Friends. When once the power given by the clause had been exercised it could not be renewed.

Question put, and *negatived.*

Mr. HEALY said, it seemed almost useless to propose any Amendment to this clause; but he hoped the Government would accept the one he was about to submit, seeeing that it was one of a very simple and common character. He proposed to add at the end of the clause the words—

"Provided, That any person so arrested shall be entitled, on demand, to receive a copy of the information upon which the waarant for his arrest was issued."

He presumed that the Government would have no difficulty at least in conceding that point.

Amendment proposed,

In page 7, line 23, to add at the end, "Provided, That any person so arrested shall be entitled, on demand, to receive a copy of the information upon which the warrant for his arrest was issued."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

The ATTORNEY GENERAL (Sir Henry James) said the hon. Member for Wexford was quite mistaken in supposing that the Government were not prepared to accept any Amendment of the clause, seeing that he intended to accept that which the hon. Member had just proposed.

Question put, and *agreed to.*

Mr. SEXTON moved, at the end of the clause, to add—

"Provided, That every person apprehended under the authority of this section be treated as a person subject to the prison regulations made by the Lord Lieutenant of Ireland, on the 5th of March 1881, in accordance with the provisions of the Act for the Better Preservation of Life and Property in Ireland."

The hon. Member said the Government claimed that this Coercion Bill was to be less rigorous than the Coercion Act of last year. There were certainly two opinions about that, but it was provided that persons apprehended under the Coercion Act of last year, on suspicion of having committed crimes, should be subjected to special rules with regard to their treatment while in confinement. For instance, they were entitled, if they had money, to provide themselves with clothing and food, and have a larger number of hours for open-air exercise than other prisoners. These rules were made for the preservation of the health of these persons, because the Government made use of the maxim which was now familiar to hon. Members, that the object of the Act was prevention, and not punishment. He did not see why the provisions of the present Bill should be more stringent than those of the Act of last year. He thought that persons arrested under this clause ought, at any rate, to be treated as well as persons arrested under the Act of last year. The Government could not contend that witnesses should be treated less favourably than the persons arrested upon suspicion of having incited to crime, under last year's Act. The justice of this was obvious, as it was only necessary in the case of a witness to provide for his safe detention until his evidence was given.

Amendment proposed,

In page 7, at end, to add, "Provided, That every person apprehended under the authority of this section be treated as a person subject to the prison regulations made by the Lord Lieutenant of Ireland, on the 5th of March 1881, in accordance with the provisions of the Act for the Better Preservation of Life and Property in Ireland."—(*Mr. Sexton.*)

Question proposed, "That those words be there added."

Mr. HEALY trusted that the Government would accept this Amendment. The object was merely that a witness who was suspected of being about to abscond should be treated as well in gaol as a person suspected of murder under the Act of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). All that was wanted was that, as far as the Lord Lieutenant had made rules in this respect last year, they should apply to prisoners committed under this section. He did not think the Government could refuse so small a concession.

Dr. COMMINS said, he wished to impress on the Government the desirability of accepting the Amendment, or of making some alteration in the Bill to that effect. A witness might be committed on account of his inability to obtain sufficient sureties. What took place now in Ireland? When a witness was committed, as persons had been under the old Statute of Edward III., for not finding sureties to be of good behaviour, it was alleged that for 22 out of the 24 hours they were condemned to solitary confinement. He wanted to know if this sort of thing was going to be extended to witnesses who were unable, under this Bill, to find sureties to appear and give evidence on the trial? Was it proposed that persons so situated should be subject to the ordinary prison rules? He believed in the cases of some of those young ladies who had been imprisoned under the old statute of Edward III., the rules, after considerable difficulty, had been slightly relaxed, and that they were only kept now in solitary confinement for 20 hours out of the 24. This, however, was the whole extent of the relaxation which had taken place. He thought that, at any rate, witnesses and others who would be subject to this clause should know beforehand what they ought to expect if they were convicted owing to their inability to obtain sureties.

Mr. TREVELYAN said, the clause provided that a witness might be sent to prison, or be required to provide sureties in case of his being suspected of an intention to abscond, or in case of his having absconded. Had it been left out of sight that this clause applied to a witness who actually had absconded, as well as to those who showed an inclination to abscond? Now, if a witness did abscond, and was again arrested, it was desirable that he should be treated in the same manner as any other person who was in prison in default of bail. When once the Protection of Person and Property Act had ceased to work, it would be very inconvenient and cumbrous to have to keep up a set of prison rules which were well worth making when it was a question relating to the large number of prisoners they were discussing last night; but it would be a very different thing to keep up these special rules, for the sake of a small number of persons scattered over the different gaols in Ireland. He could not himself see in what respect a witness who had absconded, or was proved to the satisfaction of the magistrates by some process of ordinary proof to have an intention to abscond, should be placed in a different position from any other person committed to prison in default of bail.

Mr. DILLON said, he was astonished at the statement of the right hon. Gentleman. In the first place, the right hon. Gentleman did not seem to anticipate that many witnesses would find their way into prison under this Act. Now, he (Mr. Dillon) anticipated that a very large number would. It would be well for the Committee to face what the clause actually meant. In every agrarian case in Ireland, when a poor witness was summoned under this section, the magistrate would at once believe that he intended to abscond without giving evidence, and it was almost preposterous to say that any man against whom this clause could be put in force would not be called upon to find sureties. Therefore, as far as poor witnesses were concerned, the vast majority of them would be called upon to enter into recognizances, and to find sureties, under this clause. Now, what did imprisonment mean? He was quite aware that the Chief Secretary was in entire ignorance of the condition of Ireland in these matters. But probably the right hon. Gentleman had read in the newspapers yesterday that within the last fortnight 14,000 men had passed through the City of Chester on their way to the English hay harvest. Now, he (Mr. Dillon) knew the condition of men in the West of Ireland very well, and he knew that it would be ruining a large number of them to deprive them of the opportunity of coming over to England at harvest time, because they relied upon what they made at that period for paying the rent, keeping the family, and preserving a roof over their heads. In the Province of Connaught, and especially in the county of Mayo, there were as many as 15,000 labourers who visited England every year in this way; and every one of them would be liable to be arrested, on evidence that he was about to abscond, if this clause were put in force. In point of fact, the mere circumstance of the harvest coming round would be seized upon by the police as a justification for suspecting them of intending to abscond. It would be known that they were going to England, and that, when once they got there, they would be at liberty to remain if they chose, and not come back unless they liked. The police constable would, under these circumstances, give information that a man who was capable of giving material evidence was about to abscond, and the power given by the clause would be used in this way in order to take the bread out of the mouths of these poor men, and to prevent them from going to England to earn a sufficient amount of money to enable them to pay their rent. He knew very well that this was not the intention of the Committee; but, at the same time, the power would be made use of in this way in a great many places. He knew many men who had been able to go home after the harvest in England with £20 or £30 in their pockets, upon which they proposed to live for the rest of the year. By this clause they would be placed in such a position that they would be prevented from leaving the country at harvest time, and the consequence would be that they and their families would be utterly ruined. He could not understand why the Chief Secretary should say that the unfortunate persons placed in such a position ought to be treated like ordinary prisoners confined in default of bail. He did not think that any treatment could be too severe for the repression of crime; but a very cruel injustice would be done to these men by the Government in the interests of justice if they were to be subjected to the ordinary prison treatment. It must be borne in mind that the persons with whom it was proposed to deal were altogether innocent of crime; and he was astonished that the Chief Secretary should say that it was not worth his while to allow the prison rules under the Act of last year to continue in force, in order that in some slight degree he might ameliorate the condition of men who were taken up, not because they were suspected of crimes, but because they were suspected, upon information which might be altogether false, and which, even if true, would not make it a crime, of being about to leave the country. In the first place, a man might be suspected of having some knowledge of a crime, which knowledge he desired to withhold; and, in the second place, he might be suspected of an intention to abscond. But, in either case, the suspicion might be entirely erroneous, and the man might be innocent of the act for which he was arrested. Moreover, if the suspicions were both correct, the man suspected had been guilty of no crime at all. And yet the Chief Secretary said the Government would not sanction in their case the application of the rules which had been applied to persons suspected of inciting to the commission of crime. He would tell the Committee that the punishment inflicted on prisoners awaiting their trial, and detained in default of bail, was a cruel and savage punishment. He knew something of it himself, and he could tell the Committee that if any hon. Members were confined for 22 hours at a stretch out of the 24 in a prison cell 7 feet by 3 feet, he would never forget it. He himself had been locked up for 20 hours at a time in a cell of this description, and he was bound to say that it was not a punishment to be treated lightly. To many men, the imposition of hard labour would be preferable. The mere fact of being kept in solitary confinement for a long stretch, without anything to do, was enough to drive a man out of his senses.

MR. MITCHELL HENRY said, he thought the Government ought to accept some Amendment of the nature of that under discussion. He had always pleaded for a difference of treatment for persons who had been proved guilty of crime, and those who were detained only on suspicion; because suspicion might be entirely wrong, and the judges of suspicion were fallible mortals. He could quite understand that there might be a difficulty in dealing with witnesses, but if they had absconded, then it would be a different matter. The case was very different between a witness who actually absconded, and another who was imprisoned simply because he was unable to find bail. It did not at all follow that a man was guilty because he was unable to find bail, and he thought the prison regulations under which the Protection of Person and Property Act was administered should be applied for the special benefit of prisoners detained under these circumstances. There ought to be a great distinction made between the case of such persons and that of those who had been actually found guilty, and he would suggest that some such words as these should be added to the clause—

> "Provided always, That persons committed to prison under this section shall be treated under such rules as the Lord Lieutenant may make from time to time."

That would place in the hands of the Lord Lieutenant the power of making such relaxations in favour of these persons as he might consider just and equitable. If the Government declined to assent to his suggestion, he hoped the Committee would not leave these persons to the tender mercies of the prison rules. Anybody who knew what the prisons were, and how persons had been treated in them who were perfectly innocent, and the difficulties which had been experienced in obtaining for them some little relaxation of the prison rules, would know how important this question was. He should certainly, on the ground of simple justice, support such an Amendment as the present one, and he hoped the Government would accept it.

Mr. FIRTH said, that as these persons were not charged with crime, or suspected of crime, they ought to be treated as first-class misdemeanants.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, the persons who came under the clause would be persons committed to prison for safe custody, precisely in the same way as witnesses under the Petty Sessions Act who declined to give recognizances. They were not persons who were suspected of crime, and were simply committed for safe custody. Under the Act of last year it was provided, by an express clause, that persons committed under that Act should come under special rules and regulations. It was urged on that clause that it was expedient to make a difference between the treatment of persons arrested under suspicion and persons actually convicted of crime. He alluded to the 13th section of the Act, which applied to persons not convicted of crime, but who were detained in prison for safe custody only. After having provided for safe detention, express rules were laid down in reference to several specified matters, such as the possession of books, papers and documents, communication between prisoners and their solicitors and friends, and other matters; but the general law applied to witnesses who had absconded, or who had refused to give evidence, and had been unable to give recognizances. He had never heard any objection made to the rules which applied to persons in that position. It was quite plain that they could not have two modes of treating absconding witnesses, or witnesses who refused to enter into recognizances, and who were suspected of being about to abscond. All persons detained in default of bail must be treated in the same manner, and if any alteration was made in the one case it must be made in the other.

Mr. O'KELLY said, that, after all, the 13th section of the Act did not safeguard the really important point in regard to the treatment of persons merely suspected of crime. One of the most important provisions was the power of confining a person for so many hours during the day in a cell. He failed to see for what purpose they should desire to lock a man up for 22 hours a-day, except for the mere convenience of some prison official. Now, that was the important point. It was not a question of safe custody. They could keep a prisoner quite safely if they allowed him proper exercise in the yard. It was impossible for a man to keep in proper health in prison if he were confined for 22 hours in a cell, however much exercise he might take during the two hours he was allowed to be in the yard. It was impossible to keep any man in a state of good health under such conditions. Therefore, the Government ought to give some guarantee that men who were not suspected of crime, but were merely witnesses of crime which had been committed by others, should not be made to suffer unnecessarily in their health. There was another point in regard to the question of imprisonment which he wished to mention. According to the prison rules applied to the Irish prisoners during the hours of association, the men were not allowed to converse with each other. It must be borne in mind that these unfortunate prisoners were persons who had not yet been convicted of any crime, and he had seen them day after day walking round the prison yard in a circle, a yard or two away from each other, without being permitted to address a word to anybody. This was practically torture to many of these persons, and he thought he had a right to claim that the Government should put into the Bill words that would protect the men who were simply detained in default of bail from cruelty of this nature. There was nothing at all unreasonable in his demand; there was nothing that would lessen the hold of the authorities upon the witness. He merely asked that these unfortunate men should be treated with something like humanity.

MR. MITCHELL HENRY said, they would all recollect how this section came into the Protection Act, and the fight there was upon it; and he did not think the Committee were likely to be misled by the way in which the section had been read by the gaolers in Ireland. The question was how the rules that were laid down were likely to be observed. He challenged the Government to bring forward in that House the rules which were enforced as carrying out the provisions of that section. They were a disgrace to the country, and he had constantly deplored in that House the heartless manner in which the intentions of the Government had been abused. He thought the Solicitor General for Ireland should give the Committee some assurance that the provisions of the section would be carried out in the spirit in which it was framed, and everybody would then be satisfied. They knew very well that the spirit of the rules at present in force had not been carried out. The rules for the treatment of untried prisoners, detained simply for the purpose of safe custody, were a disgrace to the prison authorities. Would the Committee permit a man to be locked up in his cell for 22 hours out of the 24? That was the question which they were now asked. The Attorney General or the Solicitor General for Ireland might read the section again for the benefit of the Committee; and he would ask any hon. Member who knew anything about the matter whether the Act had been carried out in any way in accordance with the spirit in which it was passed?

MR. DILLON said, the Solicitor General for Ireland had said the duty of the Committee would be to alter the rules with regard to the detention of all persons who had not been convicted of crime. He (Mr. Dillon) wished the Committee would apply itself to that duty, and if the Solicitor General for Ireland would stand by his own proposal and debate the rules under which untried prisoners were kept in prison, and the treatment they received in prison, he would be quite prepared to meet the hon. and learned Gentleman. Hon. Gentlemen who sat on the Treasury Bench, and who represented the Government in Ireland, knew as much about how untried prisoners were treated as they knew how Chinese Coolies were treated; they knew nothing at all about Irish untried prisoners. He had seen the treatment, and he knew how much the officials who came round to inspect the prisoners and receive complaints knew about the prisoners. Hon. Gentlemen who were inclined to speak on the subject might have read the rules under which untried prisoners were supposed to be detained; but it must be remembered that prison officials were in the habit of breaking the rules whenever they thought fit. The points he wished to particularly emphasize were two—namely, that a man who was kept in prison for safe custody, and not for punishment, should have at least five hours' association each day with his fellow-men, and be allowed to talk to them instead of walking round a filthy damp yard with two paces between him and the next prisoner.

THE CHAIRMAN: I must point out to the hon. Member that the Amendment is intended to put prisoners confined under this clause under the regulations of the 5th of March, 1881, and we must not travel into the whole question of prison discipline in Ireland.

Mr. DILLON said, he was only replying to the Solicitor General for Ireland, who had said, as an argument against the acceptance of this clause, that if Irish Members wished to make any change in the treatment of prisoners, what they ought to do was to alter the rules of the Prisons Act. The hon. and learned Gentleman read a clause of the Prisons Act, and the Chairman ruled he was in Order. His (Mr. Dillon's) desire was to effect an alteration in the treatment of prisoners, or rather to secure—they did not care how they did it—that the men who were detained under this clause, and who were not suspected of crime, should be treated at least as well as the prisoners under the Act of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). He only went into the question of general prison treatment because he and his hon. Friends were challenged to do so by the Solicitor General for Ireland. In making out a case for his Amendment, he thought he was in Order in explaining to the Committee how the prisoners would be treated if the clause were left as it now stood. He was simply showing what treatment the men would be subjected to if this Amendment were not accepted. The Chief Secretary for Ireland had asked the Irish Members to state in what particulars they wished alterations to be made. He had mentioned one matter upon which he and his hon. Friends insisted — namely, that men simply detained for safe custody should have at least five or six hours out of the 24 in the open air, and that during that time they should be allowed association with their fellow-prisoners of the same class, in order to break the frightful monotony of prison life. From his own experience, and from conversation with others, he knew that the punishment of being locked up alone in a cell was to many men a far severer punishment than all the hard labour that could be inflicted upon them. The second point he wished to insist upon as requiring alteration was the diet. He wished that there should be some security that men detained under this clause would get tolerably wholesome food. He believed that, owing to the action of the Governors, the men in some prisons did get decent and wholesome food.

The CHAIRMAN: I must point out to the hon. Gentleman that he is going altogether beyond the Question in discussing the whole question of prison discipline in Ireland. The hon. Member has got a specific Amendment before the Committee, and under the cover of that he cannot discuss the whole question of prison discipline.

Mr. DILLON respectfully submitted that the object of the Amendment was that prisoners detained under this clause should be treated in accordance with the rules laid down by the Lord Lieutenant under the Coercion Act of last year. One of the rules made by Earl Cowper related to diet, and he (Mr. Dillon) submitted, therefore, that he was in Order in discussing the question of diet.

The CHAIRMAN: I must rule distinctly that under cover of this Amendment it is out of Order to discuss the whole question of prison discipline in Ireland. If the hon. Member speaks to the subject of the Amendment he will be in Order.

Mr. JOSEPH COWEN said, he thought the Committee scarcely understood the point before it. Under this Bill the Government were taking power to arrest men to give evidence in certain cases; and what his hon. Friend (Mr. Dillon) proposed was that the man who was arrested as a witness should be treated as the "suspects" under the Coercion Act of last year were treated. His hon. Friend had endeavoured to show, as far as he could, the mode of treatment to which the "suspects" were subjected, and his present proposition was so reasonable that he (Mr. Cowen) was perfectly astounded that the Government should refuse it. A concession in a matter of this kind was just one of the things which would tend to the progress of the measure. Men were to be arrested under this clause not because they were suspected of crime, but simply as witnesses. In fact, they were arrested for the purpose of assisting the Government to detect and punish crime; and what was asked was, that such men should be treated as were the "suspects" imprisoned under the Coercion Act shortly to expire. It had been shown that one of the greatest sufferings to which they could subject a man was to deprive him of all associations with his fellow men. Was it reasonable to subject a man who was merely detained as a witness to such harsh treatment? The hon. Member for Galway (Mr. Mitchell Henry) had very properly said that witnesses were not treated in such a manner in any country in the world. Whatever might be done to punish men convicted of crime, surely they ought to treat witnesses with reasonable leniency.

MR. SERJEANT SIMON said, that when he heard the statements of the hon. Member for Tipperary (Mr. Dillon) and other Gentlemen who, like the hon. Gentleman, were able to speak from personal experience, he was amazed to find that the Government had not taken some steps to mitigate the terrible severity of the treatment to which men detained under this clause could be subjected. If men who were detained in a prison not for any crime that they had committed, but simply to procure or insure their attendance as witnesses, they ought not to be subjected to solitary confinement; and he was surprised that his hon. and learned Friend the Solicitor General for Ireland would incur the responsibility of saying that he would not avoid such a state of things even if he could. He would ask the Chief Secretary for Ireland to introduce an Amendment similar to that proposed by the hon. Member opposite (Mr. Dillon); if the right hon. Gentleman did so he would make a most valuable concession. The Government must know that he (Mr. Serjeant Simon) had no intention to embarrass them or to obstruct the progress of the Bill. He had given his support to the Bill so far in the interests of Ireland; but his natural instincts prompted him to support the present Amendment.

MR. TREVELYAN said, he would just like to remark, with regard to the observation made by the Solicitor General for Ireland as to his not having a copy of the prison regulations at hand, that there was a limit to the amount of material that the Members of the Government could come down to the House provided with. It must be remembered that this Amendment was not on the Paper; but it had been placed in the hands of the Chairman in a manner quite unexpected. That was a sufficient defence for his hon. and learned Friend (Mr. Porter). Now, with regard to the speech which had just been made by the hon. Member for Tipperary (Mr. Dillon), and the other speeches spoken with equal earnestness and with very great conviction. In dealing with a Bill of this sort, he (Mr. Trevelyan) came to the conclusion that the Government ought never to yield any point of principle; and it appeared to him to be an absolute point of principle that all persons who were detained for safe custody, and not because they were guilty of crime or suspected of crime, should be treated in one and the same manner. His hon. Friend the Member for Newcastle (Mr. Cowen) spoke warmly and eloquently about the suffering which these witnesses would endure; but he must remind his hon. Friend that for 30 years he (Mr. Cowen) had continued silent while witnesses, who had refused to enter into recognizances, were enduring the same sufferings under the Petty Sessions Act; and he (Mr. Trevelyan) could not see why witnesses who were detained under the very grave circumstances of murder and other serious crimes should be treated more leniently than those detained under the Petty Sessions Act for refusing to enter into recognizances. Then, again, there was the case of prisoners of whom the Committee had heard so much, and to whom the Committee had paid so much attention—prisoners who were in custody in default of bail. His general view of the whole matter was that the time had clearly arrived when the treatment of all prisoners in Ireland of this class should be closely looked into. He did not think that up to the present the Irish Government had given Parliament any reason to think that they were desirous to inflict upon any prisoners any greater suffering and inconvenience than was necessary in the public interest. He could assure the Committee that when this Bill became law, a careful inquiry should be made into the manner in which all the persons detained under the clause should be treated, and this could well be done, both on the ground of humanity and on that of public expediency; but on the ground of principle the Government could not accept the present Amendment.

MR. PARNELL said, the question of the treatment of men imprisoned in default of bail had been for a considerable time under the attention of the Irish Government, and the points of hardship had been pointed out from time to time in that House. He, therefore, had hoped that the right hon. Gentleman (Mr. Trevelyan), assisted by the Gentlemen who had been in the Irish Office before him, would by now have been able to have shaped his mind, so as to have made some distinct declaration with regard to the two particular points of hardship relating to the treatment of untried prisoners which the hon. Member for Tipperary (Mr. Dillon) had brought before the attention of the Committee. The right hon. Gentleman had said that, in the opinion of the Government, all prisoners who were held for safe custody should be treated in the same way. But, as a matter of fact, they were not treated in the same way; and it was because the Irish Members wished that the persons who might be imprisoned under the present clause should be treated as persons held for safe custody under the Coercion Act that this Amendment had been proposed. As had been pointed out by the Chief Secretary, unless an alteration was introduced either in the rules made by the Prisons Board under the sanction of the Lord Lieutenant, or under the Prisons Act of 1877; unless they introduced an addition to the law so as to govern the case of this new clause, men would, under the present system, probably be arrested under this Act, and treated as untried prisoners. Now, the treatment of untried prisoners had been very fully detailed by his hon. Friends (Mr. Dillon and Mr. O'Kelly), who had had an opportunity of seeing what that treatment was; and he (Mr. Parnell) would add that he thought the treatment of untried prisoners was harsh in the extreme. This partly arose from two causes—firstly, the defects in the rules themselves; and, secondly, the bad spirit in which the rules were carried out by the prison authorities. In passing, he wished to say this remark did not apply to the way in which the rules were carried out with regard to the prisoners under the Coercion Act of last year. With very few exceptions—with the exception of Limerick Prison and some of the prisons just at the time they were converted into gaols for "suspects"—no fault was to be found with the way the rules were carried out. He did, however, find fault with the spirit in which the prison rules were carried out by Governors under Section B of the Act of 1877. He was quite sure the Chief Secretary to the Lord Lieutenant would look into the matter with the desire of altering the rules if possible, and giving some advice to the prison authorities with regard to the spirit in which they administered the rules. He (Mr. Parnell) would like to hear a little more of the mind of the right hon. Gentleman himself with regard to the two points which had been mentioned by the hon. Member for Tipperary (Mr. Dillon). That hon. Member had brought before the right hon. Gentleman the two principal causes of complaint. The first was that the prisoners were not allowed association, and this was universal. He knew of no case in which untried prisoners in any gaol in Ireland had ever been allowed association with any other untried prisoner; but he did know it was the common practice to oblige such prisoners to walk round the yard with two paces between each prisoner, and to prohibit them from exchanging any words with one another. The second point was with regard to the question of confinement in cells 22 hours out of the 24. He (Mr. Parnell) and his hon. Friends contended that these provisions were not in accordance with the spirit of the section of the Act of 1877—the 13th section of the Irish Act, and the 39th section of the English Act. In referring to this matter he wished to say that the right hon. Gentleman was not entitled to ask the hon. Member for Newcastle (Mr. Cowen) why he had not done something for the untried prisoners during the last 30 years. If he remembered rightly, the hon. Member for Newcastle took a very distinguished part in the debate on the Prisons Act of 1877. The Act of 1877 was passed when the Conservative Government were in Office, and the result of the discussion which took place when the Bill was passing through the House was that the then Home Secretary (Sir R. Assheton Cross) framed the very fair section which had been alluded to, and it was passed into law. Under that section certain rules had been made. The section said—

> "Whereas it is expedient that a clear difference shall be made between the treatment of persons unconvicted of crime and in law presumably innocent during the period of their detention in prison for safe custody only, and the treatment of prisoners who have been convicted of crime during the period of their deten-

tion in prison for the purpose of punishment, and that, in order to secure the observance of such difference, there shall be in force, in every place in which prisoners are confined for safe custody only, special rules regulating their confinement in such manner as to make it as little as possible oppressive."

Well, now, to confine a man in his cell for 22 hours out of the 24 was to make his confinement as oppressive as possible. He believed that the same period for recreation was allowed to convicted prisoners. Indeed, a great deal more time was given, insomuch as work was recreation to a prisoner. It was not asked that prisoners should associate promiscuously with one another; but it was considered right and proper that a distinction should be made between convicted and untried prisoners. The Irish Members submitted that every untried prisoner should have the right of association with other untried prisoners where it could possibly occur. At present such association was not allowed at all. They would like to hear from the right hon. Gentleman something more as to the two points which were now raised.

VISCOUNT LYMINGTON pressed on the Chief Secretary the policy of making some concession with regard to this matter. This was a matter both of principle and of policy. The men who were imprisoned under this clause would not be imprisoned even on the charge of being suspected of crime. One of the reasons and excuses for the clause was that it would tend to meet the present extraordinary condition of Ireland. The Government supposed that in certain parts of that country such a state of terrorism existed as to prevent a large number of persons coming forward to give evidence. These persons were principally of the poorer classes, and it seemed to him very questionable whether it was just, or in accordance with the interests of public policy, that these persons should be treated in precisely the same manner as persons suspected of crime or actual criminals. It struck him the Government were running a great risk in not making this concession, which would not weaken the real purpose or efficiency of the Bill, of needlessly irritating the Irish people, and prejudicing the practical application of this clause in the Bill. Granted that it is necessary to detain witnesses in custody, do not let us make these poor persons, by the treatment they receive in prison, feel themselves identified with criminals, and thereby, instead of feeling estranged, actually perverted, by a sense of injustice, into sympathy with crime. He sincerely wished his right hon. Friend the Chief Secretary would be able to assure the Committee that he would agree to some Amendment in something like these words—

"Provided always, That prisoners committed to prison under this section should be treated under such rules as the Lord Lieutenant may make from time to time."

SIR JOSEPH M'KENNA said, he had not heard a single valid argument advanced against the Amendment. The noble Viscount had very properly pointed out that the persons it was desired to protect by this Amendment were witnesses for the Crown, against whom the information had been laid that they were likely to abscond. From whom would such information really come? In nine cases out of ten it would be supplied by the witnesses themselves, who would say to someone or other—"Really, sir, you cannot depend upon me, because I am afraid of facing the country, and I would like to get away." Surely, the Government did not wish to treat such persons as if they were actually guilty of crime? The manner in which they were treated was directly contrary to the spirit of the Act of 1870 and to the rule read by the Solicitor General for Ireland. The simplest way would be for the Government to accept the principle of the Amendment, which he regarded as a perfectly fair one.

MR. TREVELYAN said, he did not suppose that he could satisfy the hon. Member for the City of Cork (Mr. Parnell), who appeared to express the opinions of a good many hon. Members. The Government could not accept any Amendment to this clause, and they were convinced, as a matter of principle, that it was necessary to inquire into the treatment, not of the people alluded to in this clause, but they would consider it necessary to satisfy themselves that the persons in custody were not exposed to greater inconvenience than was necessary for their detention. He cordially acquiesced in the enlargement of the hours of recreation which took place in the case of persons confined in default of bail; and upon that point, so long as they were securely confined and unable to break from custody, he should only be too glad for them to have an opportunity in any possible way of mitigating their position, consistently with the discipline of the gaol and the reasonable economical management of the gaol; and by those words he did not mean that he should strain either of those two conditions. As to solitary confinement, the prohibition to speak to other prisoners was a matter to be carefully watched. It was true that persons imprisoned under this clause might possibly be confined for a long time, and he could assure the Committee that there was no one with whom their position weighed more than with himself.

MR. LABOUCHERE said, he could not understand why the Chief Secretary did not accept the Amendment. The right hon. Gentleman started with the principle that when they were discussing the question of A being ill-treated he ought not to concede anything in regard to B. What hon. Members wanted was, not only an assurance, but something actually inserted in the Bill to prevent any ill-treatment of prisoners; and, surely, it was not too much to ask when witnesses, who had committed no crime, were to be imprisoned, that those people should not be treated worse than the "suspects" were under the Coercion Act of last year. That was all that was asked, and it was no use wasting hour after hour discussing that point; but the right hon. Gentleman and his Friends might accept the Amendment.

MR. O'DONNELL said, that, with every desire and willingness to credit the Chief Secretary with good intentions, he should prefer to see those good intentions in the Bill. The Chief Secretary might be of a hopeful and sanguine nature, and there were such things as accidents in politics, and there might be a Chief Secretary less distinguished for humanitarian feelings within less than six weeks. Why should there not be some words placed in the Bill which would insure the Irishmen suspected of the new Liberal crime of evidence obtaining something like humane treatment? The Chief Secretary said every consideration would be shown to the suspected witnesses that was at all in conformity with the discipline of the gaol; but the same thing was said month after month under the regrettable *régime* of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and unless there was some provision in the Bill the discipline of the gaol might be made use of against witnesses who were suspected by the Government of not being willing to furnish the precise evidence they desired. If the gaol was simply to be used as a place of safe detention, why should the Government not put into the clause a guarantee against the gaols being used as places for vindictive purposes? Notwithstanding his presence in that House for some years, he had still enough of the prejudices natural to a freedom-loving man to make him rebel against these continual attempts to put personal assurance in the place of law and Constitution. During the Government of the Conservative Party the taunt of personal government was continually on the lips of Liberal Leaders; but now-a-days, whether for big grievances or little grievances, for great considerations or small considerations, the only reply that could be got from the Government was some new variety of that stale personal government. Did the Premier adopt the declaration of his Chief Secretary that the gaols were only to be used as places of safe detention, and that every liberty and comfort would be granted to imprisoned witnesses that was compatible with their safe keeping? Why did not the Prime Minister insist upon a provision to this effect being put into the Bill? He did not like what seemed to him to be an intention of the Government to make use of this clause, like so many other clauses, as a sort of electioneering inducement to the Irish Party to keep the Liberals in Office. The attitude adopted by the Chief Secretary, doubtless with the authority of the Prime Minister, was substantially this—they declined to introduce into the Bill this Amendment, which they acknowledged to be requisite and humane; but they promised that as long as there was a Liberal Chief Secretary in Ireland they would carry out the provisions of the Bill with the greatest humanity. That was an unworthy attitude for any Government to take in the House of Commons. If the Government meant that this Bill should be just, and that the provisions of the Bill should be susceptible of just application, no matter what Government was in power, then they should so cast the terms of the Bill as to safeguard all the liberties of the subject, no matter whether the Premier was in the ranks of Liberals or of Conservatives. This continual claim of Liberal statesmen to allow objectionable provisions to be passed without the introduction of necessary Amendments, because so long as the Liberal Party was in power, the good-will of Liberal administrators in Ireland would make up for the deficiencies of the Bill was utterly unworthy either of England or Ireland. If the Government meant to have this provision for the detention of suspected witnesses simply for their safe keeping until the day of trial, they should put words to that effect into the Bill. Let them insure to the imprisoned witnesses all the comfort and liberty compatible with their safe keeping; but let them not insinuate, or hint, or suggest by roundabout methods that the true safeguard and the ægis of such liberties as Liberalism had left consisted in the maintenance of the Liberal Ministry. Party questions apart, he altogether rejected, on mere principles of common prudence, the acceptance of any such decision. The position of the Liberal Minister was in the highest degree dubious; and for that reason, if for no other, the Irish Party had a right to do all in their power to secure that provisions should be introduced to guard against the misuse of this Bill, no matter who might be the Party in Downing Street before many months were over.

MR. SEXTON said, if his hon. Friends about him had no objection, he should be disposed for the present to accept the offer of the Chief Secretary. He shared the feelings of the hon. Member for Dungarvan (Mr. O'Donnell) that personal assurances were not equivalent to a clause; but, for the present, he thought the best thing to do was to accept the assurance of the Chief Secretary, as that assurance was given with the tacit concurrence of the Premier, the Home Secretary, and other Members of the Government. The Chief Secretary had expressed his disposition, on the two points of association and solitary confinement, to do everything that could be done consistently with safe custody. If that promise was honestly kept it would remove much of the objection to this clause. As to the food, of course he knew that prisoners would have the right to buy food outside the prison; but many of those prisoners would be very poor and unable to provide food for themselves, and he respectfully asked the Chief Secretary to consider whether it would be possible to make the food of suspected witnesses as good as that of the "suspects" imprisoned under the Coercion Act. He would also ask the Chief Secretary to keep these two principles in view—that safe custody under this Act should mean nothing more under this Act than it did under the Coercion Act; and with regard to the remark that prisoners would be scattered in different prisons, the Government should limit the number of prisons.

MR. O'DONNELL said, he did not intend to put the Committee to the trouble of a division, considering that the Mover of the Amendment had expressed himself satisfied with the assurance of the Liberal Administration. But having spoken against it, and not being willing to accept that assurance, he should insist on enjoying the pleasure of seeing the Government negative the Amendment.

MR. SEXTON said, it was not correct to say that he was satisfied with the assurance; but as between two things he regarded the assurance as better than a barren opposition.

MR. T. D. SULLIVAN said, the Government had not given any answer to the question respecting food, and he would like to hear a word or two on that subject.

MR. TREVELYAN replied, that the arrangements with regard to food would be guided by the same principles as those he had laid down in regard to general treatment. With regard to the prisoners being scattered, they would now come under the purview of the Prison Board and of the Lord Lieutenant and himself.

Question put, and *negatived.*

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

DR. COMMINS moved that the clause be omitted. The only Amendment adopted by the Government was that prisoners should have a copy of the information against them. Much good that would do them! The Amendment was not worth the paper it was written upon; but no other Amendment had been adopted. There had been some assurance given that steps should be taken to relax the prison rules in regard to the persons committed under this clause, and he was not at all surprised at that; and if the Government expected to get any evidence from a witness; if they expected to get any voluntary evidence; if they expected the evidence not to be given in a way so as to do the least possible good, they would go a great deal further than the same assurance in relaxing the rules. Granted that something was done to make the condition of the prisoners tolerable while they were confined, what did this clause provide? He still adhered to his objection to it, on the ground that it gave a power of inflicting almost indefinite imprisonment to the magistrates. It was argued that no such power was granted; but there was nothing in the section to prevent a magistrate summoning a man, and those who argued in that way must be unacquainted with the practice of the Courts. That sort of thing constantly happened; and he was astonished to hear the Attorney General say it was never done. If he had attended Petty Sessions Courts he would have seen it done thousands of times, so that there was a power to commit and recommit a prisoner to gaol. Who would be the people against whom this power would be exercised? According to Dr. Hancock's Reports, 50,000 men came from the West of Ireland into Scotland and England at certain times of the year; 14,000 passed through Manchester yesterday, and 10,000 through Chester. They were of necessity travelling to Scotland and England, and it was in the very localities from which they came that the crimes had been committed, and where it was supposed that the people knew something about the crimes, and would be able to identify those suspected. People who intended to come to England and Scotland might be, and would be, detained if they ventured to leave their country to earn a living, according to the ordinary practice. Was it tolerable that such power should be placed in the hands of magistrates? That power might be checked by the supervision of the Judges; but that plan was not adopted, and no Amendment to prevent this exercise of the power had been accepted. The power was left in the hands of irresponsible police and magistrates, and it might be used to gratify private malignity, or to cause annoyance, or even for the purpose of subornation and manufacture of evidence. Suppose that a man happened to mention that he had seen some person in a neighbourhood where a crime had been committed, and that he would be able to identify the person again, there might be some active person who might suppose he could get a good deal more out of that man if he had him under his control, and so he might apply for a summons against him. Corrupt evidence might be given by a man of no conscience or character, and this clause might be used for imprisoning innocent people on the assumption that they knew something about the crime. Getting up evidence in that way was one of the most disgraceful episodes of the Rebellion of 1798, when men were brought forward as informers, having been crammed and instructed in deliberate perjury to swear falsely against men they had never seen before. He did not suppose any Member of the Government would sanction such a perversion of the Act; but the Government was in the hands of officials in whom no confidence whatever could be placed. Therefore he pressed this Amendment, on the ground that the clause might be used to inflict oppression on innocent persons or to manufacture evidence. The greatest objection to the clause was this—it was an admitted and unfortunate fact that in Ireland one of the reasons why it was difficult to get evidence and to get juries to convict was the entire distrust which the people felt in the Government in all its works; in all its magistrates and officials, from the highest to the lowest. The people distrusted them, and looked for neither justice nor fair play, and that feeling prevented them giving assistance to the police, because they feared that their evidence might be used to destroy innocent people. This clause would increase that distrust and irritation of the people against the law and their disinclination to assist the Government; and it would widen that breach between them and the Government which had been the cause of the existing state of things in Ireland. He wished to see that breach closed, and the Government receiving the confidence of the people. But a section such as this, which really increased the irresponsible power of persons who already had too much power, was only doing mischief and making the condition of the country worse than it was before.

MR. T. C. THOMPSON pointed out that these depositions might be taken behind the back of the person concerned; and he wished to propose a provision that magistrates should not act until notice had been given to the person who might be inculpated that such proceedings were to be taken. It might be that the man had a good excuse; but, under this clause, he would have no opportunity of representing that excuse. The Government, however, would be able to arrest him, and that was a proceeding which, he was sure, would not be approved of by the Committee.

MR. CALLAN said, he looked upon this clause as most peculiarly affecting labouring men who could not be in the slightest degree suspected of any crime. No limitation was fixed as to the time during which the recognizances would run; but at present the witness was bound to attend at the trial on the day fixed, and the longest time that could elapse in the case of a capital offence was three or four months. By this clause, however, a witness, who might not even be a material witness with reference to the crime for which a person had been arrested, might be bound over, not to appear within any certain time, but when called upon. Suppose an Irish labourer and his family received a sum of money from relatives or friends in America, as Irish labourers constantly did, in order that they might go out to America, some person might go to a magistrate and say the man who had received the money had some evidence to give, and that Irish labourer and his family might be kept in Ireland for an indefinite period. This Bill was to continue for three years, and, according to the 14th clause, taken in connection with the 13th, any person might be bound over if an offence had been committed, although no person might be charged merely upon a policeman's saying he was going to abscond, or was going to England to reap the harvest, or had received the money to go to America in order to earn a better living than he could at home. There was not in the Bill a more monstrous clause than this, and he believed it would keep up against the present Government that feeling of hostility towards them; and, therefore, he was not disposed to vote against it.

Question put.

The Committee *divided*:—Ayes 193; Noes 37: Majority 156.—(Div. List, No. 180.)

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day*.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Clause 15 (Additional constabulary force).

DR. COMMINS said, as the Committee were aware, this clause gave power to the Lord Lieutenant, under certain circumstances, to increase to any extent the Constabulary Force in any district. He was about to move an Amendment which was intended to act as a check to the exercise of that power, and which declared that it should only be exercised on a Memorial being signed by the majority of the magistrates of any district to the effect that such increased Constabulary Force was necessary. The reason for his Amendment was very obvious. The Constabulary, as was well known, were in great part paid by the cesspayers of the county and also of the district, and as, in making the county cess, the estimate for the Constabulary was made according to the district of the county in which the Constabulary were located, a particular district might be absolutely ruined by having a large extra number of Constabulary stationed within it—that was to say, by sending into a small district, containing, perhaps, only 500 ratepayers, a police force of 200 or 300 extra men. Now, his proposal was to check this system of taxation without representation; to limit the power which the Lord Lieutenant was practically given in this sub-section of imposing a pecuniary mulct of indefinite amount upon a district; that he should be restrained from putting this power into execution until the magistrates of the district, who were intrusted with the preservation of peace and order, had made a requisition for an additional police force. It would not be necessary for him to detain the Committee at any length in supporting the Amendment. The Committee would perceive that the magistrates would not have a large interest in keeping the rate down, or in refraining from advising the Lord Lieutenant whenever it might be necessary to have an additional police force in their district, because they only paid on the land in their own occupation, and on the farms of such of their tenants as had contracted themselves out of the provisions of the Act of 1870. Still, it was to be supposed they would take care that no additional rate was made unless the peace and order of the district required it. He assumed they would have a certain amount of sympathy with the other cesspayers, and would be always willing to protect them from increased taxation, except in the event of it becoming necessary to increase the Constabulary force in their district. He did not see that any objection could be made to giving the initiative in this matter to the magistrates, who alone could know whether the condition of the district with regard to crime would warrant an additional police force being stationed there. Under any circumstances it would be that Reports would come from them to the Lord Lieutenant as to whether it was wanted or not; and he had no doubt that, in the ordinary course of things, it would be at their suggestion that the Lord Lieutenant would make this increase of Constabulary. Now, he wanted that suggestion to be made openly, honestly, and above-board. There was no safeguard equal to the safeguard of publicity, and therefore he saw no reason why there should not be publicity with regard to this increase of the Constabulary force. This would afford the best guarantee that they would charge themselves with the preservation of the peace, and it would at the same time insure that they would not unnecessarily advise what would undoubtedly cause a large amount of annoyance to the people of the district. He said annoyance because it was notorious that the police interfered with the people in every act of life; and that circumstance would in itself be sufficient to cause considerable dissatisfaction in the district where it took place, quite apart from the fact that their presence there would be a source of heavy expense. Under these circumstances he trusted the Government would see their way to accept the Amendment, which he now begged to move.

Amendment proposed,

In page 7, line 24, after the word "when," to insert the words "upon a memorial signed by a majority of the magistrates in any district."—(*Dr. Commins.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he was afraid that the reasons which the hon. and learned Gentleman had given for this Amendment were the very reasons which rendered it impossible for Her Majesty's Government to accept it. The hon. and learned Member stated that the Amendment was intended as a check upon the exercise of the powers proposed to be given to the Lord Lieutenant by this clause; but he (Sir William Harcourt) was of opinion that there were no powers in the Bill more useful, or which it was more desirable should be exercised without the slightest check, than the powers in question. The great desire with regard to Ireland was that a sentiment hostile to crime should exist there, and it was therefore necessary to create a sentiment of hostility to crime in those districts where it was absent. The object of this clause was to create an interest, and a pecuniary interest, in Ireland hostile to crime. Now the person who would exercise the power in this clause was the Lord Lieutenant, who would act on such information, from whatever quarter it might come, which led him to believe that a particular district required an additional police force for the preservation of life and property within it. But the hon. and learned Member for Roscommon proposed that this power should not be exercised by the Lord Lieutenant unless upon a Memorial signed by a majority of the magistrates of the district, and in support of that proposal he argued that the magistrates would have a pecuniary interest hostile to the action of the clause. As it was difficult to conceive anything more opposed than this to the intention of the clause from the Government point of view, he was unable to accept the Amendment.

Mr. CALLAN said, it was impossible to understand the argument of the right hon. and learned Gentleman the Home Secretary in any other sense than as an attempt to imbue the mind of the Committee with the idea that the parties proposed by the Amendment to be intrusted with the initiative in this matter were not in sentiment hostile to crime, but were, as a matter of fact, in sympathy with it. To bring forward an argument of that kind was to show the utter ignorance of the Home Secretary on matters connected with the present state of Ireland. One of his objections to the magistrates in Ireland having a voice in this initiative was that they had a pecuniary interest hostile to the action of the clause. But was the right hon. and learned Gentleman serious in putting forward that argument?

SIR WILLIAM HARCOURT: It was not I who put forward the argument. It was used by the hon. and learned Member in support of his Amendment.

MR. CALLAN said, the right hon. and learned Gentleman had used it by way of innuendo. Now, nothing more devoid of common sense or common knowledge of Ireland could be conceived. There was a Member of that House who had property in his county from which he derived an income of £5,000 or £6,000 a-year, and the absurdity of this statement with regard to the magistrates would be apparent when it was known that on account of that property he would not be taxed to the amount of 10*s.* a-year in respect of the police; and this was due to the fact that the county cess was levied upon the occupiers, and not in any degree upon the landlords. If the magistrates of the district were so cowardly as to be afraid to initiate the proceedings to which the clause applied, when it was necessary for the preservation of peace that they should do so, it would be the duty of the Lord Chancellor to remove them from the Commission of the Peace. He should have thought the right hon. and learned Gentleman would have accepted the Amendment at once, with, perhaps, the addition of words to the effect that the Memorial signed by the magistrates should not be made public in order that they might not be held up to public opinion for having made known to the Lord Lieutenant that an additional Constabulary force was necessary in their districts.

COLONEL NOLAN said, he quite agreed with the right hon. and learned Gentleman the Home Secretary as to the importance of this clause, and at the same time he hoped the farmers in Ireland would make strong representations to the county Members, begging them to give the clause very close attention, because its effects would be felt in Ireland for years to come. He did not ask the county Members to oppose the clause, but to see that in the matter of the cost of additional police the farmers had fair play. He thought the particular Amendment before the Committee was open to some objection, because the clause must be read by the light of the sub-section of it, and as yet the mode in which the tax had to be levied had not been determined. As the clause stood, the tax would be levied solely on the occupiers; but there were two Amendments on the Paper for the purpose of regulating its incidence. It would be a great mistake to suppose that all the magistrates were not occupiers. Many of them were so, although, of course, the great bulk of the property was held by landlords who paid nothing to the rates. He thought the proposal that the magistrates should share the responsibility in this matter with the Lord Lieutenant was open to some objection. He would have been willing to have given the initiative over to the magistrates, if the money came out of the poor rates, because then they would only exercise it when it was absolutely necessary. But, as the matter stood, he thought it better that the Amendment should not be pressed to a division at that stage, in order they might see whether the cost of the additional police was to fall solely on the occupiers; because, if that were the case, he should prefer the Bill as it stood. He thought a fair adjustment would be that the owners should pay one half of the tax, and the occupiers the other half; and when that matter was satisfactorily settled he should regard the clause as a useful one. For the reasons given he trusted the hon. and learned Member would not press his Amendment.

MR. HEALY said, he hoped the Government were going to take up a proper position with regard to this clause. The right hon. and learned Gentleman had said that the adoption of the Amendment of the hon. and learned Member for Roscommon would give the magistrates a pecuniary interest in preventing the operation of the clause.

SIR WILLIAM HARCOURT: That was the argument of the Mover of the Amendment, and I said that if it were true, it was an argument against the Amendment rather than for it.

Mr. HEALY said, the Amendment proceeded on the assumption that the occupiers only paid the rate. The complaint was that the Government had placed the entire amount on the occupiers, and left the landlords to go scot-free.

Dr. COMMINS said, that with regard to England and Ireland different Constitutional theories were adopted in that House. It had passed into the commonplaces of politics to say that there should be no taxation in England without representation—that was to say, that those who had to pay a tax should have some voice in the imposition of it. In dealing with Ireland, this axiom was systematically ignored; but the object of the Amendment was to prevent the principle being entirely lost sight of in the present instance. The right hon. and learned Gentleman had said that the very object of the clause was to give unlimited power to the Lord Lieutenant. According to the theory of politics in this country, as he had learned it, there should be no arbitrary Executive power exercised by any one person. But the object of the Government from the beginning to the end was to give arbitrary and irresponsible power to someone in Ireland, whether in the case of the police, the magistracy, or the Lord Lieutenant. That was the view of these great apostles of liberty for opposing which, in that House, Irish Members were to be rebuked in the sight of the whole world. But the right hon. and learned Gentleman's theory of human nature was still more extraordinary than his theory of liberty. It was that, by giving the people of a district an interest against the commission of crime, their sympathies would be opposed to its commission, and they would do something to prevent it. Why, no argument had been more often repeated in that House than the argument that the crimes occurring in Ireland were not done by people resident in the district where they were committed. What, then, became of the argument just put forward by the right hon. and learned Gentleman opposite? If the people of the district had anything to do with the crime committed there—if they promoted it, and shielded the criminals, then there might be something in the argument. But it was the contention of the right hon. and learned Gentleman that the crime was committed by strangers to the district; that the people of the district were free from complicity in it; and that was the foundation of the provisions of this, as well as the Coercion Acts of former times. But the right hon. and learned Gentleman said that there was some amount of sympathy with crime in certain parts of Ireland, and that it was necessary to create a sympathy of an opposite kind. To that he replied that the people of Ireland understood what was impartial justice and what was retributive justice, and, further, that there was no people in the world who resented more the imposition of unjust and misplaced punishment. This was a clause which placed a mulct on the people for crimes committed in their district of which they were entirely innocent.

The CHAIRMAN pointed out that the hon. and learned Member was discussing the clause, and not the Amendment before the Committee.

Dr. COMMINS said, he was discussing the clause in relation to the Amendment. He said it was avowedly penal in its object. It imposed a fine upon persons most of whom must be innocent, and all of whom might be innocent. The probable effect of all this would be that the clause would be resented; that the Government who put it in motion would be detested, and that a sympathy would be created for the people who committed crime in Ireland.

Mr. O'SULLIVAN said, Irish Members had no other object than to improve the Bill wherever it was possible. But with regard to this Amendment, he thought the power of the clause had better be exercised by the Lord Lieutenant than by the magistrates. He hoped the hon. and learned Member would not persevere with his proposal.

Mr. SYNAN said, they had been really discussing the next clause on the Amendment before the Committee. If it were the case that the magistrates in Ireland were the representatives of the taxpayers, that would go some way in support of the Amendment, but not far enough. If the Amendment of the hon. and gallant Member for Galway (Colonel Nolan) were accepted, then the magistrates of Ireland, like the occupiers, would be interested in preventing the introduction of additional police in their district if there were no necessity for it. He appealed to the hon. and learned Member for Roscommon to postpone his Amendment until the Report, and then, if the Amendments referred to by the hon. and gallant Member for Galway were accepted in the meantime, there would be a strong argument in its favour. As they were placed, the matter was really being argued in the dark. From his own knowledge of the country, he did not think, in the present state of things, the magistrates ought to be intrusted with the power claimed for them, because they would be able to get additional police whenever they applied for them, and at the same time get off scot-free in the matter of paying for them.

MR. SEXTON remarked, that the hon. Member who had just spoken appeared to misapprehend the real point of the Amendment of the hon. and learned Member for Roscommon. It would appear from the view expressed by the hon. Member for Limerick that the object of the Amendment was to substitute the discretion of the magistrates for that of the Lord Lieutenant. But that was not so. It was simply proposed that the discretion should be exercised first by the magistrates and secondly by the Lord Lieutenant. The discretion of the Lord Lieutenant would remain precisely where it was if the Amendment were adopted, and would operate as a guard just as much if the clause were amended as if it remained in its present form.

DR. COMMINS said, the Home Secretary seemed to appreciate his Amendment better than his hon. Friend's, who asked him to withdraw it, and he was inclined to take his opinion in preference.

MR. P. MARTIN said, he thought the Amendment was right in principle, and, with a slight alteration in the words used, would provide a useful check upon the exercise of the discretion of the Lord Lieutenant; and he could not understand upon what principle it was opposed by Her Majesty's Government, except it was upon the one principle of ignoring all Irish opinion with regard to Irish affairs. The Government had, unfortunately, acted upon that principle throughout the entire progress of the Bill, and they seemed quite prepared to continue that policy. He asked who were better calculated to give information to the Lord Lieutenant upon a matter of this kind than the magistrates, who were dwellers in the district and were thoroughly acquainted with the people there? No persons could know better than they whether there was reason or not for sending an additional police force into their districts. It appeared to him that it should not be left to the arbitrary will of the Lord Lieutenant that this crushing tax, incident to the employment of those additional police, should be imposed on the district. The initiative should be intrusted to the magistrates. The clause could easily be so worded that a discretionary power should be left in the Lord Lieutenant to act or not, as he thought right, on the representation of the magistrates.

SIR WILLIAM HARCOURT said, there should be no misunderstanding about this Amendment, and the effect it would have upon the clause were it adopted. He entirely agreed with the hon. Member (Mr. Callan) who said that it would place an absolute veto in the hands of the magistrates. Anyone capable of reading the language of an Act of Parliament, or who regarded the grammatical construction of the clause as it would be if the Amendment were adopted, must see that the Amendment made a Memorial, to be signed by the magistrates, a condition precedent to the exercise of the power of the clause by the Lord Lieutenant. That being so, the arguments of the hon. Member who had just addressed the Committee were beside the mark. The question was, were the magistrates to be the persons who were to have the initiative, and so prevent the clause coming into operation?

MR. MARUM said, he had attended lately two meetings of magistrates in different counties held by public requisition, the object of them being to determine whether or not there should be an additional police force in the county; and he was prepared to admit that the power of the magistrates, claimed by the Amendment, was in the nature of a veto, because in the cases referred to, without the sanction of the magistrates, the County Inspector was not warranted in increasing the number of the Constabulary. Therefore, he thought the hon. and learned Member for Roscommon had placed a perfectly legitimate Amendment before the Committee. He had an Amendment on the Paper to the effect that the Grand Juries should be the organs of taxation, and he certainly preferred that mode of dealing with the matter to that proposed by the clause; but, without pursuing that question, he repeated that his hon. Friend's Amendment was most reasonable, and ought to receive the favourable attention of the Government.

Mr. P. MARTIN said, he had great respect for the authority of the right hon. and learned Gentleman the Secretary of State for the Home Department. He had correctly stated the true question involved in the Amendment, but had certainly given no reason against its adoption. Were the Committee to assume that the Irish magistrates, so highly extolled at times by the Government, would be on the side of disorder, and improperly prevent the clause coming into operation? Was well-informed local opinion to be of no weight in Ireland? Who would guide the discretion of a Lord Lieutenant who came to that country ignorant of Irish affairs? Probably he would have to act upon the advice of those wholly unacquainted with the country. For anything he knew to the contrary, the Home Secretary himself, who knew nothing of Ireland, who had never been there, and who, possibly, if subjected to examination, could not name the Irish counties, might appear in the character of adviser to the Lord Lieutenant. As the clause stood, its powers were to be exercised by the Lord Lieutenant without the slightest local control, and in nowise guided by Irish opinion, being brought to bear upon him; and, if for that reason alone, he should support the Amendment as far as it went, with the knowledge that if it were adopted it would be easy for the Committee afterwards to regulate the remainder of the clause.

Mr. BIGGAR said, it appeared to him that the hon. Member for Limerick (Mr. Synan) had misapprehended the effect of the Amendment of the hon. and learned Member for Roscommon. What did the clause say in its present form?—

> "When it appears to the Lord Lieutenant, from time to time, that by reason of the existence or apprehension of crime and outrage in any district, the numbers of constabulary ordinarily employed in such district are not sufficient, he may order additional constabulary to be employed in such district."

That was to say, that the decision in this matter was left to the undivided will of the Lord Lieutenant, who, as the hon. Member for Kilkenny stated, knew nothing about the matter. The Lord Lieutenant would be assisted probably by the Chief Secretary for Ireland, who, he believed, also knew nothing at all about Ireland until his recent appointment to Office; and these two Gentlemen were to decide, upon the whisper, perhaps, of some particular individual, whether or not a certain district in Ireland was to be heavily taxed. He contended that if it were known that the addition to the Constabulary force in the district would not be made without the magistrates first memorialized the Lord Lieutenant, a certain amount of public opinion would be brought to bear upon the magistrates, and this would make their decision something more or less of an honest character. The Home Secretary had truly said that this proposal constituted a veto upon the action of the Lord Lieutenant; but it would operate to the extent of enabling him to act only upon the representation of the magistrates, although, as the hon. Member for Limerick had pointed out, the Lord Lieutenant would not be bound to send the additional police force, even if the magistrates recommended it, in which case he would probably act upon evidence or official information derived from other quarters. He was quite unable to see why the Government objected to this Amendment, which, were they to adopt it, would only amount to an expression of confidence on their part in the local magistrates, who, however, he was bound to say, did not possess the confidence of the Irish people.

Dr. COMMINS said, this question lay in a nutshell. Either the Lord Lieutenant would issue his mandate to send additional police without the consent of the magistrates or with it. He would like to know whether it was the intention of the Government that, if the majority of the magistrates were against having an additional posse of police, the police would, nevertheless, be billeted on the district?

Colonel COLTHURST said, he hoped the Government would not give way on the question before the Committee. This discretion was not desired by the Irish magistrates, and the exercise of it would, in his opinion, be most unpopular in Ireland.

Mr. PARNELL said, he thought that the hon. and gallant Member who had just spoken was a fair type of the Irish magistrates, who were always ready to evade their duty.

Question put.

The Committee *divided:*—Ayes 23; Noes 78: Majority 55.—(Div. List, No. 181.)

Mr. SEXTON said, he proposed to move the omission of words in this clause which allowed the Lord Lieutenant to order an additional police force to any district upon the mere apprehension of crime being committed there. The first portion of the clause ran thus—

> "When it appears to the Lord Lieutenant, from time to time, that by reason of the existence or apprehension of crime and outrage in any district, the numbers of the constabulary ordinarily employed in such district are not sufficient, he may order additional constabulary to be employed in such district, and for that purpose may, from time to time, add to the Royal Irish Constabulary such officers and men (if any) as he thinks necessary."

It would be apparent to the Committee that the object of his Amendment was to make the actual existence of crime in a district precedent to the exercise of the authority conferred by the clause. "Apprehension" was a very vague term. It might be well-founded or ill-founded; to-day it might appear to be founded on fact, and to-morrow to be without a fragment of truth to justify it. When the Committee considered the ruinous consequences which would follow the exercise of this power, he believed they would agree that it ought not to be exercised except on the most clear and undeniable facts. By virtue of this clause the Lord Lieutenant could add to the number of the Constabulary employed in a district; he could spread them over a country or concentrate them upon a townland, and moreover, for the purpose of the clause, he could add to the total strength of the Constabulary Force by enlisting therein new men and officers, which meant that the Constabulary Force was to be permanently strengthened, and that the additional force sent to the counties was likely to be saddled on them for a considerable time. Furthermore, the Lord Lieutenant might fix the limit of the area in which that charge was to be levied; he might make it a county or a townland, and he might exempt any landlord, or agent, or bailiff, he pleased. The Lord Lieutenant might, in fact, limit the payment of the tax to even 10 or 12 families; he might send 100 extra policemen into a district where there were only a dozen families, and throw the whole burden of the support of those extra Constabulary upon that small number of families. He (Mr. Sexton) knew a case in County Sligo where 11 families had been called upon to support a body of extra police sent into the townland; and he knew that those families would have been brought to permanent ruin had it not been for voluntary assistance extended to them. What he objected to was that this might be a permanent or long-continued charge on the people at the mere discretion of the Lord Lieutenant. After the police had been sent into a district, it might turn out that the apprehension had been false; therefore, he hoped the Government would have no reason to resist this Amendment.

Amendment proposed, in page 7, line 25, to leave out the words "or apprehension."—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir WILLIAM HARCOURT said, that the only point in this Amendment was whether the powers of the clause were to be exercised on the actual commission of crime only, or on the commission of crime and on the apprehension of crime. He must object to the notion that the Lord Lieutenant would be actuated by any malignant desire to ruin particular families, or to introduce Constabulary where he did not think they were necessary. He assumed the Lord Lieutenant would act as anybody in a responsible position would act—namely, on the best information he had. The question was—was the employment of an additional force of policemen in a district to be postponed until crime had been committed, which, according to this Amendment, alone could justify it? That was not the view of the Government. He remembered it used to be the law in Scotland that a man could not be punished for the action of his dog until it had bitten somebody. That law was now altered, and it was time it should be, because no one could desire that a man's dog should bite an individual before the man was responsible for its actions. What was the tendency of this Amendment? It was that no actual crime should have been committed in a district before the district was made liable in the way proposed in the clause. The Government wished to make the district responsible for the prospect, as well as for the commission, of crime, and they believed that in proposing such a thing they were proposing nothing unreasonable or unfair.

Dr. COMMINS said, he might mention a particular case which occurred in the county he represented (Roscommon). He believed that that was one of the districts in which there had been no agrarian crime at any time. In spite of that, however, the Lord Lieutenant last winter sent down 50 police and military, and charged their expenses upon the people. There were not more than 60 voters in the whole place, so that there was one policeman to each family. How was the apprehension to be measured? Whose apprehension was it to be? By whose instructions and under whose direction, or on whose opinion, was the Lord Lieutenant to act? He would certainly like to hear that the quartering of police on the people would take place on something tangible, and not upon mere apprehension founded upon they knew not what.

Mr. SEXTON said, the question was, whether the Lord Lieutenant was to act on the apprehension of crime or upon the existence of crime. The question naturally arose, what were the powers which the Lord Lieutenant was to exercise, and whether they were powers which should be exercised in view of the existence of crime. What he (Mr. Sexton) wanted was this—that unless there be actual crime existing extra police should not be charged upon the people. Apprehension of crime might be fairly dealt with by the ordinary powers of the Constabulary. What he was afraid of was that the powers of this clause would be brought into operation in so elaborate a manner, and the stay of the police would be so prolonged, and the burden on the district might be much in excess of what the apprehension would justify. He did not intend to convey that the Lord Lieutenant would act malignantly; but he could conceive that this clause would be brought into operation in consequence of want of thought. He knew a case where ruin was brought to several families by reason of want of thought. The case he had already referred to was that in which 11 poor families were saddled with the sum of £100 for the maintenance of extra police, because, as it afterwards turned out, a man had come into the townland and bitten a bailiff's ear off.

Mr. T. D. SULLIVAN said, he thought that where crime existed it would be fair for the Government to send an increased Constabulary force; but it would not be fair to charge the expenses upon the locality. It would be certainly very unjust to charge the expenses of that force upon the locality in case of apprehension of crime, because the apprehension might prove to be unfounded. Surely it was not contended that people should be heavily fined for an unfounded apprehension of crime; if they were so fined, they would have no remedy under the clause. If the Government had only apprehension of crime, let them send an increased Constabulary force at the public expense; but, unless the existence of crime in a locality were proved, unless the necessity for an extra force were demonstrated, he did not see why people of the locality should be visited by a heavy pecuniary fine. It was well known that there were such things as unreasonable apprehensions. The Committee well knew there had been unreasonable panics in this country and in every other country; unreasonable and groundless panics and apprehensions arose from time to time; they, however, passed away and no harm resulted. Great harm would be done to many poor districts in Ireland by unreasonable apprehensions. The people would have no remedy, the fine would be imposed upon them, and the Government would levy it by the aid of the Constabulary and military at their disposal. They would exact this pecuniary fine for which there was no justification or occasion. He was not going to admit that in any case it was a just principle—he believed it was not—to levy the cost of an extra police force upon a particular district. Whatever grounds there might be in the minds of some hon. Members for fining a district in which crime was prevalent, there was no just ground whatever for fining a district upon the ground of mere apprehension of crime, apprehension which, as a general rule, turned out to be totally unfounded. He wondered how the Home Secretary could refuse this very fair and reasonable Amendment.

MR. PARNELL said, he thought that this clause—and in speaking with regard to the present Amendment he should speak generally upon the clause, because he thought that the word "apprehension" must be taken in connection with the rest of the clause as well as other clauses which gave power to the Lord Lieutenant to grant compensation in cases of murder and maimings—was exceedingly well calculated to increase the difficulties of the Government in Ireland, and alienate people still further from the side of law and order in that country. He would like to give the Committee one or two practical examples of the way in which he thought this clause would be likely to work; in fact, they had reason to believe that the clause was already in operation in some of the districts. There was at present going on in Ireland a labourers' movement, which had not up to now assumed very large proportions, but which was likely to assume considerable proportions during the coming autumn and winter. A clause of this kind, by which fines were inflicted upon the ratepayers in a district in consequence of the apprehension of outrage, and in consequence of the actual commission of outrage, furnished an almost irresistible temptation to the non-ratepayers to commit outrage in cases where they thought an advantage might be reaped from them. The labourers in Ireland were not ratepayers. Suppose that in a certain district—and he felt that now he was speaking freely, because he knew that not very much of what was said in Committee was reported in Ireland—suppose the labourers in certain districts asked the farmers to give them an advance in wages, or a plot of ground with a cottage, as they were now doing, and suppose a certain number of farmers in a certain district refused to give that ground, and a certain number of other farmers agreed to give the ground. A clause of this kind would furnish an almost irresistible temptation to those persons who were not ratepayers, and who had nothing to fear from the action of this clause, to commit outrages or to create the apprehension of outrage, and give cause to the local Constabulary authorities to induce the Lord Lieutenant to send an extra police force, and in that way put a fine on the farmers who refused to grant them their concessions. Without any strike of work whatever, a clause of this kind would give overwhelming power to the non-ratepayers in Ireland to serve their own ends in case dispute might arise between themselves and their employers. It was perfectly gratuitous to bring in clauses of this kind. They were founded upon the experience of Ireland at the end of last Session. They had never proved effectual, and they would not prove effectual now. He feared, owing to complications which had arisen in Ireland in connection with this labourers' movement, that such clauses might actually be taken advantage of by one section for the purpose of punishing another section.

MR. METGE said, it was proposed to leave out the words "or apprehension," and, as he understood the argument of the Home Secretary, it was that this clause should be made use of to prevent crime, to employ an increased number of police, and thus prevent outrage and crime in any particular district. Last winter it pleased the magistrates in the county he represented (Meath) to apprehend crime to a very great extent. What was the consequence? A meeting of magistrates was called by the Lord Lieutenant of the county. Some 50 or 60 magistrates attended, of whom he (Mr. Metge) happened to be one, and, with the exception of himself, the meeting was unanimous in favour of the employment of an extra police force in the county. He had the temerity to stand up and ask the County Inspector if he had any grounds to go upon for asking for this extra police force, which practically meant a fine on the ratepayers of the county, and he said he had not. He also asked if the county was in its normal state, if the County Inspector had any figures on which to go, and he said he had not. He (Mr. Metge) really pitied the County Inspector at the time, so lamentable was the position of this military ruler of the county. An extra police force, however, was sent down, and the consequence was that the rates of the county were now higher than they had ever been for years. What did those very same magistrates do on a subsequent occasion? Within one month of that meeting he (Mr. Metge) was opposed to his brother magistrates again. He opposed the granting of public-house licences, but all the others voted for the licences, contrary to the advice of the parish priest and of the Protestant clergymen of the district.

THE CHAIRMAN said, he must ask the hon. Member to keep to the Amendment before the Committee.

MR. METGE said, he had no wish to transgress; but in the interests of the ratepayers he felt that the words "or apprehension" ought to be omitted from the clause. He wished to know whether the apprehension of crime upon which the Lord Lieutenant would proceed would, as a rule, be founded on better or more solid grounds than was the case in the county of Meath, where the people were now submitted to a heavy tax in consequence of the extra police force quartered upon them? If he thought that the retention of the words proposed to be left out would be effectual for the repression of crime, he would certainly not oppose them; but he knew the words would be absolutely ineffectual, and therefore he should vote for the Amendment.

MR. MARUM said, that many of the objections might possibly be removed if the Home Secretary would consent to the insertion of some qualifying words; for instance, he thought it would be well if the clause were to read, "by reason of the existence or apprehension, founded upon townland information, of crime."

Question put.

The Committee *divided:*—Ayes 106; Noes 30: Majority 76.—(Div. List, No. 182.)

Amendment proposed, in page, 7, line 26, to leave out "numbers," and insert "number."—(*Mr. Warton.*)

Amendment *agreed to.*

MR. HEALY proposed to leave out the word "ordinarily," in line 26. The point of this Amendment was that the Lord Lieutenant made use of his proclamation to increase or decrease the number of Constabulary allowed him by the law. What he wanted was not that the practice of the Lord Lieutenant should be followed, but that the Statute which provided the police should be followed. He did not think it was asking too much of the Government that they should declare that no more Constabulary should be supplied in any district than the ordinary number as at present provided by the law. It might happen that the number of ordinary Constabulary employed in any district might be 100, whereas the number provided by law would be 200; and what the Government proposed was, to throw the expense of 200 men upon an entire district by sending in an additional 100 men under the Lord Lieutenant's warrant. Although the full complement of police in any district might be 200 men, and the Government only sent in 100, the district would be compelled to pay for the whole. That involved a very important question, and he hoped the Government would show a desire to deal frankly, not merely with the Committee, but with the country. The people of Ireland had a great objection to paying for more police than were supposed to be necessary; but under this clause the people would have no security upon that point. The people of Ireland did not manage the police as the people of England did, for the Irish Force was entirely in the hands of the Government, and, therefore, there ought to be words inserted in the Bill providing that the Government should send in no police over the complement ordinarily allowed by law, until that number had been worked up to its fullest extent.

Amendment proposed,

In page 7, line 26, to leave out the word "ordinarily," and insert the words "at present by law authorised to be."—(*Mr. Healy.*)

Question proposed, "That the word 'ordinarily' stand part of the Clause."

SIR WILLIAM HARCOURT said, this clause had been framed with this view—It assumed that a district required in ordinary times, apart from such disturbance as had unfortunately prevailed in some parts of Ireland for several years, a certain number of police. If in any particular district in the county the prevalence or the apprehension of crime required an additional force of police, it would be very unfair to charge that increase of police on the whole county, or that portion which might be entirely denuded of crime. The additional charge ought to fall on the particular district which necessitated that augmentation of the police force. That was the principle of the clause. The hon. Member said, supposing the full complement was not made up, it should be made up, and then the charge would fall on the whole county, the greater part of which was interested in the matter. But suppose there was a deficiency to be made up, and one-fourth of the district only was disturbed, the remaining three-fourths being in the ordinary condition, it would be unfair that this additional force should be charged generally, and the whole county be compelled to pay for one-fourth of the county. That one-fourth, and that alone, ought to pay. The number of police ordinarily employed in such districts were not sufficient in the event of disturbance. He would take the case of a county ordinarily in an undisturbed state, and requiring only, say, four-fifths of the whole quota of the Constabulary; if one part of that district required an increase of Constabulary, whether it was up to its full complement or not, the charge must be put on the disturbed part of the district, and not on the whole county. That seemed to be a just principle, and was a strong ingredient in favour of the district not disturbed. From both points of view the Government must adhere to that principle, and could not accept the Amendment.

COLONEL NOLAN said, he had an Amendment to line 27 which, he thought, raised this question more clearly, and he wished to know whether he would be able to put that Amendment?

THE CHAIRMAN: If the hon. Member for Wexford's Amendment is rejected the hon. and gallant Member's Amendment cannot be put.

MR. HEALY said, he had no wish to stand in the way of the hon. and gallant Member, who understood the question better than he did, and he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

COLONEL NOLAN said, his Amendment raised the question in a much more definite form than the Amendment of his hon. Friend. To show how the present system operated, he would read an extract from a Report of a Committee which sat in 1872 upon the Constabulary Forces, chiefly with regard to pay and promotion. That Report stated that the expense of the Royal Irish Constabulary was now borne partly by the Consolidated Fund, and partly by local rates; but the scale laid down in 1848 fixed the number of men assigned to each county in Ireland, the entire expense of which was thrown on the Consolidated Fund, and the cost of any number of Constabulary beyond the number which the county required was met partly by local rates. If his Amendment was not adopted, the Government could override the whole arrangement. It was settled in 1848 that each county should be made responsible for a certain number of men. If one part of a county was disturbed, the Constabulary were concentrated in that part of the county, and if the county required no more than 300 constables it paid; but if it required 320, then it was charged with the cost of the extra 20. The Home Secretary said he wished the district to be charged, and not the county, and his Amendment did not go against that view; but it was most unfair, in the case of a county which had only 280 men of the 300 to which it was entitled, to charge the county with 40 or 50 extra men. In past years questions and remonstrances upon the Constabulary were repeatedly addressed to the Government when the counties were being charged with extra Constabulary, although they had not got their full complement. The word "ordinarily" was exposed to a certain amount of question. It might mean what was laid down by the law, and that would imply the regulation number; but the Home Secretary took a different view. The result would be constant remonstrance and Petitions in the same way as before, and the matter would be a growing grievance in the minds of the people against the Government, who, they would say, were acting unfairly in requiring the counties which had not their full quota to pay for extra men. If the Amendment was passed, the Government would be able to charge the district; but they would first have to concentrate the men in the disturbed districts. He hoped the Government would adopt the Amendment, because there was great difficulty in regard to these Constabulary arrangements, and if they refused the Amendment, the people of Ireland would entertain bitter feelings against the Government which would not be easily allayed.

Amendment proposed,

In page 7, line 27, after the word "sufficient," to insert the words "and when the constabulary in the county of which the district forms part are already up to the full establishment for that county."—(*Colonel Nolan.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) observed, with reference to the view put forward by the last speaker, that the county of Cork measured about 85 miles from east to west, and 50 from north to south, and if a district was disturbed—a remote district, say, 50 miles away—would, according to the view of the hon. and gallant Gentleman, have to pay for the police. The hon. and gallant Gentleman had adduced arguments in support of his Amendment which appeared to be rather contradictory. He had laid down the principle that because a county was a unit the Committee ought not to make any other unit, and so, if a disturbance took place in another part of the county, persons 50 miles distant would have to pay, because the county was a unit. He could not see the justice of that view. It had been stated that the theory of this clause was that if the ordinary force of Constabulary was sufficient to preserve peace in any particular district, then, if through an outbreak, or the apprehension of an outbreak of crime, additional constables were required, the innocent portions of the county should not be taxed; but that the guilty district requiring the additional police should pay for their cost. As a matter of abstract justice there could be nothing fairer than that. It appeared to him that the law at present was this. The entire Constabulary Force was a free Force, borne by the Consolidated Fund, and divided every five years among the counties of Ireland; and if, during five years, any force was not complete, it was only owing to an illness, death, or retirement. Except for that, every county had a force which was sufficient on all ordinary occasions to preserve the peace. The force was again divided, not by law, but by arrangement, amongst the different parts of the county where they were necessary. Why should the south of a county pay for the police necessary to keep the peace in the north of the county? He did not think that it was fair, or that it would recommend itself to the Committee. The theory of the case was that if a district required additional constables through an outbreak, those who had brought about that state of things should take the consequence, and bear the expense.

MR. O'CONNOR POWER said, a few years ago he had made ineffectual appeals to the then Irish Government to remedy the very grievance of which the hon. and gallant Member complained. For several years the county of Mayo was subject to charge of £1,500 a-year for extra police, although at no period had the county possessed its full quota. To bring the matter to a distinct point he wanted to know what security the Government would offer that no such injustice should be repeated in that or any other county? His hon. and gallant Friend the Member for Galway did not contend for relieving the guilty district from the consequences of crime, but all he insisted upon was that there should be an equal distribution. To show how the matter might work he would take his own county—that of Mayo—because that county was denuded of its regulation number of police, and that district might be open to the commission of crime. If the guardians of the peace were withdrawn from certain districts to that extent the commission of crime might be facilitated, and crime having been facilitated in a county not provided with its full quota, it was now proposed to make that district responsible for crime. He thought a more rational view would be this—that the Government should take care, first, that each county had its full quota, and then if crime broke out it should be held responsible. The absence of the full quota was not so much a matter of accident, because for several years there had been a deficiency in that respect in his county, and because the Government were not amenable to any appeal from mere Irish Members the county had suffered from that deficiency. The Grand Jury had presented resolution after resolution protesting against that injustice; and what he now wanted to know was what guarantee the Government would give against such injustice being repeated?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) replied that the guarantee would be that the Force should be divided every five years amongst the counties, and the quotas distributed to each county would be maintained, except for vacancies caused by death or other circumstances, which, of course, must always occur among such bodies of men.

COLONEL COLTHURST said, that in a district of the county of Cork, owing to the absence of all outrage, the police force had been reduced to a minimum. In consequence of that, night patrolling was suspended and "Moonlight" operations began. According to the Attorney General for Ireland, extra police would have to be sent into that district, and the farmers would have to pay for what was caused by the authorities removing the police. He objected to the whole principle of charging particular districts; he would rather charge the whole county than inflict an enormous fine on some townland where the people might be totally innocent of the crimes committed. He thought the Government were in justice bound to see that the police was up to its full quota before charging any district for a single extra man.

COLONEL NOLAN, referring to the statement of the Attorney General for Ireland as to the vacancies in the Constabulary, said, it appeared from a Return up to 1873 that the force in the county of Antrim was 30 below its strength; Mayo, 57; Tipperary, 58; and there were only two counties in which the force was above its strength, one to the extent of 14 and another by one man. Unless his Amendment were adopted, districts or counties in Ireland might be charged to the extent of £10,000 or £15,000 a-year for extra police. The Government would lose nothing by the acceptance of his Amendment; and, while they lost nothing, they would show the people that though they were determined to strike hard, they were at the same time determined to strike fairly.

MR. O'SULLIVAN said, he really could not see what reasonable objection the Government could have to this Amendment. There had been no fairer proposal made to the Government during the whole progress of the Bill. He (Mr. O'Sullivan) had had a similar Amendment on the Paper, but he supposed it was decided by the division on the present proposal. The hon. and gallant Member (Colonel Nolan) did not propose that where extra police had been brought into a district that district should be freed altogether from expense, but what he proposed was that nothing should be charged to that district if the county in which it was situated had a sufficient quota—that was to say, before any district was charged with any extra taxation the whole county should have the number of police allowed to it by law. If there was a district that had 40 police, the majority of whom had nothing to do, 10 of them could be sent down to another district that might require the services of extra police, instead of the authorities having to get them from Dublin. The right hon. and learned Gentleman the Home Secretary did not seem to understand the matter at all, because he said it would be unfair to charge a county with what was required for a particular district. But this they did not ask, because when a county had its full quota they did not object to the district being charged with the cost of maintaining its extra police. The Attorney General for Ireland had stated that innocent people should not be asked to pay for the guilty, and in saying that he seemed to be labouring under the mistake made by the Home Secretary—he seemed to think that hon. Members from Ireland wished to have the county pay for the extra police sent into one of its districts. But that was not so. There was nothing whatever unreasonable in the proposition of his hon. and gallant Friend (Colonel Nolan), and if the Government understood it thoroughly he did not think they could object to it. He trusted they would reconsider their decision.

CAPTAIN AYLMER said, he had supported the Government in dealing with almost every Amendment under this Bill, believing that, under a capable Government, with such stringent powers as those contained in the measure, Ireland, which was in such a lamentable condition, could be well governed. In the present measure, however, the Government were endeavouring to deal with an unknown quantity. The word "ordinarily" in the clause was to be decided on the mere *ipse dixit* of one man. The number prescribed by the Statute, however, was a fixed number. He (Captain Aylmer) was impressed with the view of the hon. and gallant Member opposite (Colonel Nolan), and he believed that it would be better for the Government to accept the Amendment, which defined the number of police over and above which any particular district should be charged. If the number allowed to any particular district were exceeded, then that district should be called upon to pay for it. It would be dangerous to leave in the word "ordinarily," because it would only raise difficult questions, the ordinary number of police being sometimes one thing and sometimes another. He considered that the Amendment would be a great improvement to the clause.

SIR JOSEPH PEASE said, it seemed to him that the argument used by the hon. and gallant Member (Colonel Nolan) was a perfectly fair one—namely, that no charge should be made upon a county for extra police until the full quota, subject to the casualties which had been referred to, had been supplied to that county. The usual allowance for casualties should be from 5 to 10 per cent. The general principle of the Amendment seemed to him perfectly fair.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that, as he understood it, the only question before the Committee was a question of fact. What he was informed was that the only deficiency in the number of men prescribed by Statute was that owing to casualties. ["No, no!"] Well, was he to understand from hon. Members that it was not—that it was over and above that? He was quite prepared to carry out what the Committee seemed to desire, and that it should be necessary for the county to have its full quota, making the ordinary deduction for casualties, before a district was charged with extra police. The Government would have no objection to accept the Amendment, subject to the limitation as to casualties.

COLONEL NOLAN said, he was willing to accept the modification, if casualties were properly regulated. A policeman disabled by sickness was fairly a casualty. There was nothing more common than for a commandant to take a man for his servant and put him down as a casualty, or to return the men in the band and the mess waiters as casualties. He had no objection to ordinary casualties, but he objected to things of this kind being done.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the better plan would be to bring up the Amendment on Report. He was quite prepared to admit that a man who was taken by an officer as his servant, or a man who was taken on to wait at mess, could not fairly be regarded as a casualty. It should be borne in mind that a casualty might not be able to be released for a week or two, until the man who was to take his place had gone through sufficient drill to enable him to do so.

MR. P. MARTIN said, he trusted that this question would not be allowed to stand over. It seemed to him that it would be perfectly ridiculous to insert simply the words suggested by the Attorney General. They would be too vague and uncertain in their meaning to correct the abuses that at present existed. The Amendment, as it was proposed, seemed to him to be perfectly right in itself, and the Attorney General for Ireland must have been absent when the hon. and gallant Member for the County of Galway (Colonel Nolan) delivered his speech. What was the law in Ireland? There was a statutory obligation at the present moment on the Government to keep a certain number of police, as mentioned in the Act, at their full strength, pay them out of the Consolidated Fund, and then allot them amongst the different counties in Ireland. This the Government had not done. Their full strength was not maintained, and the counties were left without their proper complement of police. Protest after protest had been, without redress, made by Grand Juries in Ireland when called on to pay for extra police out of the county cess. The Attorney General could not be ignorant that these complaints had been made over and over again, and, he (Mr. Martin) regretted to say, without avail. Why had they been without avail? Because the Lord Lieutenant, under the law as it stood, could prescribe a certain number of extra Constabulary for a county, and it was impossible for the Grand Jury in any way to traverse His Excellency's decision. In moving the Amendment, his hon. and gallant Friend did not oppose the principle of the clause; but he stated that where the Constabulary of a county, of which a certain district formed a part, was already up to the full establishment—that was to say, when the statutory regulations had been fulfilled—if an extra force were required in that district, the people of that district should be called upon to pay for it. Therefore, as the hon. and gallant Member said, first of all let the Government fulfil the obligations before they proceeded to onerate and tax the farmers with a charge for extra police.

MR. MARUM was understood to support the Amendment.

MR. SYNAN said, the casualties were a part of the full establishment, and they, therefore, need not be mentioned in the clause. He thought they could accept the clause without the specified qualification.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) explained that allowance must be made for casualty cases which reduced the Constabulary in a county below the legal number.

COLONEL NOLAN said, he was willing to withdraw his Amendment, as the right hon. and learned Gentleman the Attorney General for Ireland had said that if men were ill, or if men died, they would not rank as casualties until their places were supplied from Dublin, and that was a very fair proposal.

Amendment, by leave, *withdrawn.*

MR. SEXTON said, the next Amendment stood in his name, and it was to insert in line 27, after "may," the words, "by and with the advice and consent of the Privy Council." The object of this proposal was that the Lord Lieutenant should not be allowed to exercise the powers vested in him by this clause unless he had previously received the advice and consent of the Privy Council. The principle of the Amendment was by no means a novel one, and, in moving it, he (Mr. Sexton) was simply adopting the principle which had run all through this Bill, because some of the most important powers of the measure could not be put in force without the advice and consent of the Privy Council having previously been obtained. He had no admiration for the Irish Privy Council, as the Government were well aware; but, if arbitrary powers to be exercised at all, he thought it much better that the unrestricted functions of an individual should be guided by the advice and consent of other persons. According to the Bill, if the Lord Lieutenant wished to proclaim a district, he had first to obtain the consent of the Privy Council. Whenever it was desired to arrest a stranger, therefore, it would be necessary to obtain the sanction of the Privy Council—before any premises could be searched this sanction should be required, as it would be before any stranger was arrested. In a proclaimed district the Lord Lieutenant could do these things of his own motion; but it was necessary, in the first instance, to obtain the sanction of the Privy Council for the proclamation of the district. Why, then, should the very important, wide, and oppressive powers of this clause be allowed to be put into operation merely on the wish of the Lord Lieutenant? The Government had been asked to allow these things to take place by a vote of the local magistrates. They had, however, refused to assent to that proposition, and, as a matter of fact, there was something to be said in favour of that refusal, because it might be contended that it would lead to a serious loss of time when it might be necessary to act with promptitude. In the present case, however, such an argument could not be used.

Amendment proposed,

In page 7, line 27, after the word "may," to insert the words "by and with the advice and consent of the Privy Council."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it would be impossible for him to accept the Amendment. The hon. Member for Sligo (Mr. Sexton), or one of his Colleagues, had moved a similar Amendment on a previous clause, and the answer which had been given to him was that this was an Executive function, the responsibility for which must rest on the person who exercised it—namely, the Lord Lieutenant. It might be necessary for the power to be exercised on an emergency, and it might not, therefore, be possible to assemble the Privy Council in time. The proclaiming of a district was a very different affair; it was a thing that would be discussed and well understood beforehand, and was a general operation with regard to which it would not be difficult to take the advice and receive the consent of the Privy Council.

MR. SEXTON said, the right hon. and learned Gentleman pointed out that the increase of the police was an Executive function. But what was the arrest of a stranger but an Executive function; what was the searching of a domicile but an Executive function?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Lord Lieutenant was not assisted by the Privy Council in any of these matters to which the hon. Member was referring.

MR. SEXTON said, that clearly the consent of the Privy Council was necessary in these cases, because, unless they had consented to a district being proclaimed, these functions could not be exercised in that district.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he had already pointed out the difference between exercising a general power such as that of proclaiming a district and mere Executive functions.

Question put, and *negatived.*

MR. T. P. O'CONNOR said, the next Amendment was in the name of his hon. Friend the Member for Wexford (Mr. Healy), but in the absence of that hon. Gentleman he should take upon himself to move it. It was, in line 27, after "may," to insert—

> "By proclamation, to be published in the 'Dublin Gazette,' declare that, for the reasons aforesaid, such district requires an additional establishment of police, and thereupon may."

The Amendment was one very similar to an Amendment which had been accepted by the Government.

Amendment proposed,

In page 7, line 27, after the word "may," to insert the words "by proclamation, to be published in the 'Dublin Gazette,' declare that, for the reasons aforesaid, such district requires an additional establishment of police, and thereupon may."—(*Mr. T. P. O' Connor.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he thought there could be no objection whatever to this Amendment. He would accept it with a mere verbal alteration of the words. If the hon. Member would withdraw his Amendment and would agree to its being altered by leaving out the word "to," and inserting the words, "which shall," and also by leaving out the word "thereupon," he would assent to the proposal.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 7, line 27, after the word "may," to insert the words "by proclamation which shall be published in the 'Dublin Gazette,' declare that, for the reasons aforesaid, such district requires an additional establishment of police, and may."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

MR. T. P. O'CONNOR said, he thought it only right that the proclamation should first be made, and that then the order for extra police should follow.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it might be necessary to send down the order for additional police with the proclamation. The proclamation might be required on a sudden emergency, and the police might be wanted at once.

Question put, and *agreed to.*

MR. T. P. O'CONNOR said, the next Amendment was in the name of his hon. Friend the Member for Wexford (Mr. Healy), and was to the effect that the number of extra police should only be such a number as, together with the number of Constabulary ordinarily employed in a district, should not exceed double such number. This Amendment he did not propose to move. There was, however, an Amendment standing in his own name which he proposed to move. It was in these words—

> "A copy of every such order shall be published in the 'Dublin Gazette,' and shall be laid before Parliament within fourteen days after the making thereof if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."

He did not suppose the Government would have any objection to this proposal, as it was in accordance with a Proviso inserted in another section of the Bill.

Amendment proposed,

In page 7, line 30, after the word "necessary," to insert the following sub-section:—"A copy of every such order shall be published in the 'Dublin Gazette,' and shall be laid before Parliament within fourteen days after the making thereof if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."—(*Mr. T. P. O' Connor.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he did not think the Government could accept this Amendment. The Lord Lieutenant's order was to be made by a proclamation, and it would be published in *The Gazette* in the ordinary way. What was the use of republishing the order?

MR. T. P. O'CONNOR said, that, at any rate, if the right hon. and learned Gentleman objected to the republication of the order in *The Dublin Gazette*, he might accede to the second part of the proposal, which was that the order—

> "Shall be laid before Parliament within fourteen days after the making thereof if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Amendment was not necessary, as the hon. Member would see when they got further on.

MR. CALLAN said, that apparently, in the estimation of the right hon. and learned Gentleman the Attorney General for Ireland, no Amendment was necessary. The right hon. and learned Gentleman had drafted the Bill, and it therefore, no doubt, had his thorough approval, and it was very natural that, to his mind, no Amendment should be necessary. That, however, was not what the Committee thought about this Bill. This measure was the worst of all the Coercion Bills, and he did not see any reason why an exception should be made to the invariable rule that all proclamations and orders under such a measure should be laid before Parliament. What objection on earth could there be to inserting the last part of the Amendment, which was merely a provision that such order—

> "Shall be laid before Parliament within fourteen days after the making thereof if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."

What objection could there be to having these orders laid on the Table of the House? It would obviate the trouble and the great inconvenience of looking through the numerous pages of *The Dublin Gazette* to find these orders. If these things were presented to Parliament, they would be brought prominently before Members without delay. It must be borne in mind that a great many hon. Members had work of their own to do, besides going into these questions; and, moreover, when they did interest themselves in a measure of this kind, they were not paid for the time they were bestowing upon it, as were the Attorney General for Ireland and his Colleagues. It was a serious matter to some hon. Members that they should not be unnecessarily delayed. The Returns they were asking for should be printed and circulated in the ordinary way, and he hoped the hon. Member would persevere with his Amendment.

MR. T. P. O'CONNOR: If I am in Order, I will withdraw the Amendment.

MR. CALLAN said, he had challenged a division.

Question put, and *negatived.*

MR. SEXTON said, an hon. Member, a Friend of his, had put down in his name the following Proviso:—

> "Provided, That the total number of police in any district shall not be greater than the total number of crimes therein committed in the previous year."

As, however, he did not understand it, he did not propose to move it.

COLONEL NOLAN said, that in line 36 he wished, before the words "the whole," to insert "one half." The reasons he should offer for this proposal were two. First of all, it was the old custom to charge only a portion, and, in proof of this, he would refer to the Report of the last Commission — Lord Monck's Commission of 1872. In that Report it was stated that, up to the present time, it had been the custom to charge the sum for extra police partly on the local rates. That was the custom in other Coercion Bills, and as he (Colonel Nolan) did not think this measure should go beyond other Coercion Bills in this respect he brought forward this Amendment. It seemed to him that half was a very fair proportion. If 10 policemen were charged to a particular district, as far as the Government were concerned, those men were knocked off the charge upon the general funds altogether; but yet the Government had these 10 men, he might say, under arms. The men were kept in a condition for active service, and on an emergency their services could be made available by the Government in any part of Ireland. Although the Government might lose a portion of their services through their being kept in a particular district, the men were still existing, and it could not be said that the Government derived no benefit from their services. The Government, therefore, he thought, should pay one-half the cost of their maintenance. The Bill was for the purpose of putting down crime in Ireland, and they would never be able to do that by doing an injustice. It would be the very worst thing to allow the people of certain districts to think that the Government were, as a matter of fact, making money out of them ; and it would be very well, therefore, if this limit could be inserted in the Bill. The case of recruits for India was somewhat analogous to that which he wished to bring before the attention of the Committee. Recruits were drilled in this country for India, but a charge was made in respect of them partly upon India and partly on this country, because they were available for service in both countries, and both countries had the benefit of them.

Amendment proposed, in page 7, line 36, before the words "the whole" to insert the words "one half of."—(*Colonel Nolan.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, the hon. and gallant Member had referred to a Report dealing with the ordinary condition of Ireland, and in which the principle seemed to be contended for that of the whole charge for extra police but-one half should be borne by the locality where the police were required. They were not dealing with a similar case at present. What they were dealing with now was not altogether the prevention of crime, but the imposition of a penalty on a certain district for having done certain things or got into a particular condition, and to diminish that penalty by one-half would be a serious reduction of the punishment which might be necessary. The extra police who would be required in the district would be charged to that district. It would not only weaken, but altogether destroy the object of the clause if this Amendment were agreed to. The clause in its present form was just, and nothing could be more unjust than to charge to the rest of the community the cost of extra police who were doing duty, not in the interests of the general community, but in the interests of a particular district of that community. It would be a gross injustice to place one-half of the burden due to the evil conduct of a district upon other districts which did not require additional police. The Government could not accept the Amendment, because it struck at the penal object of the clause.

Mr. T. P. O'CONNOR said, the right hon. and learned Gentleman simply wished to quarter a number of police on a particular district as a punishment. The clause said that—

> "When it appears to the Lord Lieutenant from time to time, that by reason of the existence or apprehension of crime and outrage in any district, the numbers of constabulary ordinarily employed in such district are not sufficient, he may order additional constabulary to be employed in such district, and for that purpose may from time to time add to the Royal Irish Constabulary such officers and men (if any) as he thinks necessary."

But, plainly, the one object for which they had to send additional police into a district was to help to get rid of resistance and to assist in the detection of crime. That, however, was not the statement of the right hon. and learned Gentleman. His statement was that the police should be sent to a particular district simply as a punishment.

Sir WILLIAM HARCOURT said, he was very sorry if he had conveyed that impression to the hon. Member. He should have said that the main object of sending extra police into a district was to prevent crime, but, at the same time, equally with that, the extra police were sent into a district as the penalty of having rendered extra protection necessary. He had been addressing himself to the argument of the hon. Member, who wished the burden and the penalty to be divided. His reply was "No ; it is the district which makes the additional charge necessary, and the district should bear the whole burden."

Mr. T. P. O'CONNOR said, that anyone could see how the clause would work. A number of police were employed in a district, a crime was committed, the perpetrators of the crime were not discovered, owing to the want of detective skill on the part of the Constabulary ; and because it was a military force. Then the people in whose district crime was committed were to suffer by having an additional police force quartered upon them and being compelled to pay for it because the Constabulary were inefficient as detectives of crime. See how the Act would work. The 3rd sub-section said—

> "The whole, or such part of the whole as the Lord Lieutenant may order, or the amount so certified, shall be a charge payable by the district in which such additional constabulary are employed, or by any limited portion of that district as the Lord Lieutenant may order."

This meant that they could send into a district consisting of a number of baronies a large number of additional police; that they could charge the whole amount of that addition upon the people of a parish, which, supposing it was in a town, might limit the payment of the charge to a very few persons. That would be a punishment of a very extreme kind, because it would enable the Executive absolutely to ruin people by a Constabulary tax. He did not think the Government could wish the clause to have such an extreme effect—to provide such an extremity of punishment.

SIR WILLIAM HARCOURT said, that as to whether it should be a part of the district upon which the charge should be made, that question would crop up on another Amendment.

COLONEL NOLAN said, that in 1872 there was a Coercion Act, and the Report from which he had quoted had evidently contemplated a state of coercion under that Act. There were two points in the speech of the Home Secretary that were deserving of attention. The right hon. and learned Gentleman had said that the Government wished not to prevent crime, but to punish a district. That reminded him of the famous Dragonnades of Louis XIV. He always understood that the police were put into a district for the purposes of prevention. [SIR WILLIAM HARCOURT: Hear, hear!] The right hon. and learned Gentleman said "Hear, hear!" Then, what followed? If the police were simply sent into a district for the purposes of prevention, the district certainly ought not to be called upon to pay the whole expense, because it could not be said that the district only, and not the Government, were reaping advantage from the services of the men. The Government were always reaping a certain amount of good out of the police. The Force was always useful, and the Exchequer was always supposed to pay for a protective body, whether they were soldiers, policemen, or whatever they were. He thought they should limit the maximum that the district would have to pay. He did not know whether it should be one-third or two-thirds, but, at any rate, there ought to be a limit. The Home Secretary need not be a bit afraid that he would not be sufficiently taxing the district. There was no doubt that a great deal of misery would be produced when the taxes were put on, whether the district was called upon to pay the half or the whole of the charge for the additional police. The punishment would be quite enough, and the Home Secretary need not seek to make it more severe than the actual necessities of the case required.

MR. T. P. O'CONNOR said, the right hon. and learned Gentleman was quite inaccurate, from a technical point of view, in saying that the operation of the clause which he (Mr. O'Connor) had called attention to was not embodied in the present, but in a subsequent portion of it, and that the Amendment, therefore, properly belonged to that subsequent portion. The right hon. and learned Gentleman would see that there was an indissoluble connection between the amount that should be charged and the extent of the area over which the charge should be levied. However, he (Mr. O'Connor) would not go on with that point if the right hon. and learned Gentleman would say that he intended to introduce words into the clause which would have the effect of preventing the Executive using this power in the extreme manner he had pointed out. He did not suppose the right hon. and learned Gentleman would contend that in a small district, such as a townland consisting of one or two houses, the Lord Lieutenant should actually have power under this clause to put the whole charge for additional Constabulary on such a limited area. There was another part of the clause which had not been considered, and that was the portion which gave power to make exemptions. The Lord Lieutenant could exempt any specified rateable property in a district, so that it came to this, that the Lord Lieutenant could exempt from the small area of a townland the property of certain persons, and charge the whole cost of additional police upon half-a-dozen individuals, by this system of inclusion and exclusion. The Home Secretary at that moment appeared to be drafting some more important Amendment than that to which he was referring, because the right hon. and learned Gentleman did not seem to be paying the least attention to the observations he (Mr. O'Connor) was submitting. The charge, as he had said, might, through this system of exemptions, be put upon one or two individuals. That was certainly such an extreme power to give that he could not help thinking that, on reflection, the Government would see the necessity of putting in something to prevent such a use being made of these powers.

Colonel COLTHURST said, that the power of exemption would involve, no doubt, in certain cases, a very heavy tax upon a very small number of people. That was inherent in the whole construction and principle of these clauses. He considered the provisions of the sections very unjust, and he referred not only to that before the Committee, but to those which came after. He thought his hon. and gallant Friend (Colonel Nolan) had made out an unanswerable case for not more than one-half being charged on a district. His right hon. and learned Friend the Home Secretary had not been in his place when he (Colonel Colthurst) had mentioned a case within his knowledge a short time ago. He had pointed to a case within his own experience, where in a certain locality the number of police, which, for ordinary purposes was five, was reduced to three just before the "Moonlighting" in that district began. It might fairly be said that as the number of men for patrolling was so seriously reduced, crime was consequent upon the withdrawal of the Constabulary; and, in such a case, where extra police were sent down, it would be a punishment inflicted on the people of that district in consequence of the carelessness or bad administration of the authorities in withdrawing part of the Force.

Mr. T. D. SULLIVAN said, the right hon. and learned Gentleman had said that the effect of this clause would be to put a heavy penalty on certain districts in Ireland—a penalty for misconduct. But the right hon. and learned Gentleman had forgotten that no misconduct was necessary to bring down upon the district these extra police. Was it not stated in the clause that—

> "By reason of the existence or apprehension of crime and outrage in any district, the number of constabulary ordinarily employed in such district"

might be added to? Where was the necessity for misconduct? The extra police might be sent over because certain landlords and others in a district chose to be unnecessarily alarmed. There was not an Irish Member who was not aware that unfounded apprehension arose from time to time in every part of Ireland. He recollected reading in the correspondence of a Dublin Conservative newspaper, not long ago, that there was to be a rising in the city of Waterford. The correspondent who suggested that was backed up by the editors of his paper. It was stated that on the Monday after the date of the letter there was to be a rising in the city and county of Waterford. An absolute panic was caused by that letter. A number of people in the district were fools enough to believe that something of the sort was imminent.

The CHAIRMAN: I would point out to the hon. Member that he is discussing a matter which we have long since passed.

Mr. T. D. SULLIVAN said, that the right hon. and learned Gentleman had stated that this clause, or part of it, would put a penalty on a district for crime. He would ask the right hon. and learned Gentleman to say what misconduct was necessary, according to the Bill, for the extra police to be sent down and the tax in regard to them to be imposed —what misconduct was necessary more than the apprehension—the "reasonable apprehension"—felt by certain Justices? Was it fair to put, what the right hon. and learned Gentleman confessed was, a heavy and ruinous penalty upon certain persons because of the ridiculous apprehensions of a few people?

Mr. SEXTON said, the right hon. and learned Gentleman the Home Secretary had made an announcement that certainly did not appear in the clause, to the effect that the levying of the cost of the extra police would operate as a penalty upon the district to which the police were sent; and it might, therefore, be necessary to ask the right hon. and learned Gentleman how many other hidden intentions lay in the clause? He confessed that he viewed the matter with some apprehension, because there might be other purposes of the kind latent in the Bill which would be discovered and acted upon when the Bill went into the hands of the magistrates and police in Ireland. The reason assigned by the clause for the increase of Constabulary in any district was that such increase was necessary for the prevention of crime and outrage—this idea of a penalty or punishment, or whatever else it might be called, being certainly a new one, which, although it threw no light on the clause itself, yet enabled one to see clearly the spirit in which the right hon. and learned Gentleman was proceeding with the Bill and the way in which it would be worked in Ireland. The powers to be given to the Lord Lieutenant were complete and irresistible—power to inflict ruin upon hundreds of individuals, equivalent to the eviction or sentence of death, was placed in the hands of the Lord Lieutenant. And yet the clause seemed to be more merciful than the Home Secretary, for it said that only a part of the charge for extra police might be levied on the district, while the right hon. and learned Gentleman said, in order to make the clause effectual, the whole charge must be levied. He contended that no case had been made out against the Amendment of the hon. and gallant Member for Galway (Colonel Nolan).

SIR WILLIAM HARCOURT said, he thought the hon. Member who had just addressed the Committee rather exaggerated what had fallen from him with reference to this Amendment. His statement was that if the condition of a district made it necessary to employ within it a greater number of police, it was fair that the cost of the extra police should be paid for by that district, inasmuch as it created the necessity for their being sent there; and he said, in addition to the prevention of crime, which was the main object of the increase of the police, that the cost might operate as a wholesome penalty. But the clause said the whole or such part of the whole charge might be imposed as the Lord Lieutenant might order. That was entirely consistent with what he had said. The hon. Member for Sligo (Mr. Sexton) had complained of the great hardship which would be inflicted on the district; but the district could always relieve itself of that hardship by doing the work which would otherwise have to be done by the extra police—that was to say, assisting in the prevention and detection of crime. In England and Scotland there existed a willingness on the part of the population to aid the police by giving information tending to the discovery and prevention of crime, and it was seldom necessary to resort to measures for the increase of the police in consequence. In Ireland, however, the people showed no such disposition to aid the police, and, therefore, a great addition to the ordinary police force became necessary. That was the condition of things they had to deal with; and the Government desired by this clause to create an interest amongst the people of Ireland in doing what was done by the people in the other parts of the Kingdom—namely, supplement the efforts of the police in the execution of the law. The Government believed that if they could make the disturbed districts in Ireland feel that they were pecuniarily interested in the detection and prevention of crime, they would have gone a long way in the direction of removing an evil which lay at the root of the difficulty with which they had to deal.

MR. JUSTIN M'CARTHY was understood to put the case of a landlord having estates in different parts of the country, being murdered in the district where one of the estates lay by men who came from the neighbourhood of one of his other estates where he had made himself unpopular, and to ask whether it was fair that the district where the crime was committed should be taxed to make good the act of men who were strangers there? Everyone knew that it was a common thing in Ireland for men to go to a place where they were unknown to the people, commit an offence of the kind, and steal away afterwards without being taken. The right hon. and learned Gentleman the Home Secretary had spoken of the wonderful services done for the police by the people of this country; but there was no city in the world in which a greater number of murders were committed from year to year without the persons who committed them being brought to justice than in London. Would the right hon. and learned Gentleman say that any one particular district of London ought to be taxed because a murder had been done in another district, and the perpetrators of it remained undiscovered?

MR. METGE considered that the statement of the Home Secretary, that the charge was for the purpose of punishment as much as for prevention, altered the complexion of the clause altogether. He thought that great hardship would clearly result unless the Government accepted the Amendment of the hon.

and gallant Member for Galway. The case would not be so bad if the cost of extra police were only incurred when actual crime existed; but the Committee would remember that the extra police were to be sent to districts where there was only the apprehension of crime. He repeated, that to charge the district with the whole cost of the extra police force would be great hardship upon the people, especially as the Home Secretary had told the Committee that it was not only on the motion of the Lord Lieutenant, but when the people of the district thought it necessary, that this extra police force should be allocated to them.

Sir WILLIAM HARCOURT: I never said that this would be done on any authority other than that of the Lord Lieutenant.

Mr. METGE was glad to hear the right hon. and learned Gentleman say that, because it very much altered the inference drawn from his argument. Still, he thought he should either accept the Amendment, or limit the application of the clause to cases of actual crime.

The CHAIRMAN pointed out that the words "or apprehension" were then part of the clause, and could not again be discussed.

Mr. METGE said, looking at the cost of the extra police as a punishment to be extended to a large area, he thought that punishment should only be inflicted where crime had been actually proved to exist before the ordinary tribunals. The hon. Member for Kilkenny (Mr. P. Martin) had mentioned the case of a county being charged for extra police upon apprehensions that were entirely groundless—no facts or figures having been forthcoming to prove the case. He contended that if the innocent were to be punished with the guilty, they should take care that the punishment was mitigated to the fullest possible extent.

Mr. T. P. O'CONNOR said, that as the Bill stood, for the purpose of charge, the district might be as large as a county, and for the purpose of punishment, as small as a townland. He traversed the statement of the right hon. and learned Gentleman that it was necessary to give these districts a pecuniary interest in the detection of crime. Had he studied the history of crime in Ireland, the right hon. and learned Gentleman would have had the lesson brought home to his mind that pecuniary rewards for the discovery of criminals had never succeeded in that country Were that not the case, would the perpetrators of almost every crime of magnitude committed there have remained undiscovered? It would be learned from the history of Irish crimes that the persons who committed them were strangers to the localities where they took place, and whom it was almost impossible to discover, because they ran away as soon as they had committed them. Take, for instance, the recent brutal murder of Mr. Bourke. Mr. Bourke had property in two counties, and although his murderers might have came from a part of the country distant from that in which the crime was committed, yet, under this clause as it stood, the Lord Lieutenant would be able to make the people of a townland liable for the crime, although they might detest it and be in no way responsible for it. Was not the term "district" large enough to include a county, and small enough to mean half-a-dozen houses in a townland? If that was so, would the right hon. and learned Gentleman pretend that this extremity of punishment might not be inflicted where there was absolute ignorance of the crime?

Sir WILLIAM HARCOURT said, the extent of the district was entirely in the discretion of the Lord Lieutenant; it might be as large or as small as the circumstances of the case seemed to him to require. It might be a large district in which the additional police were required, and in that case the burden of cost would be small; or it might be a small district, in which case the charge would fall more heavily. With regard to the argument of the hon. Member for Longford (Mr. Justin M'Carthy), it was quite true, according to the information which reached him, that the men who committed the crimes in question were strangers to the districts in which they committed them; but they went there upon the invitation, and frequently upon the wages, of the district. They met almost universally with the sympathy of the people in the district, who did all they could, it might be, to assist in the crime, but, at all events, to insure its being done with impunity. This practice, with which they were acquainted in Ireland, had at one time existed in

Pennsylvania, where, seven years ago, one district was obliged to exchange murderers with another, and also to borrow them when they wanted them. Now, it was desirable that the districts into which these foreign importations took place should, first of all, have an interest in keeping the assassins away; and, secondly, if they came there, that they should have an interest in doing everything in their power to give them up to justice. The districts in which these crimes were committed with impunity ought, in his opinion, to have a pecuniary interest in putting an end to that impunity; and it might be depended upon that, as soon as it was known that the people would concur in putting down crime, and giving up the offenders to justice, this knowledge would be equivalent to the presence of thousands of additional police.

Colonel COLTHURST said, the power of levying compensation on districts for crimes committed in them had existed for six years under the Act of 1870; but he challenged his right hon. and learned Friend to put forward one case of crime detected in consequence of that power to levy compensation.

Mr. SEXTON said, his experience of the United States of America did not confirm the statement of the right hon. and learned Gentleman that it was the practice in Pennsylvania for some of the districts to exchange murderers with others. It was curious to observe how the necessity under which the Government lay of defending the armoury of clauses in the Bill involved a mass of contradictions on their part. The crimes in question were committed by strangers who went to the district of their own accord, and after committing the crime—usually in the night-time—stole away again. The right hon. and learned Gentleman now said that the strangers were invited and paid by the district. It was saddening to him to find such a horrible imputation as that cast, without a single fact in support of it either stated or insinuated, against a people devoted to religion, and who were as severe upon crime as any people in the world. And it was still more disheartening to hear that hideous charge cheered by a body of hon. Gentlemen who, like the right hon. and learned Gentleman who made it, had never set foot in Ireland. When the passage of a Bill was promoted by such arguments, and when the majority of the Committee were prepared to cheer them, it might seem that the time had arrived for abandoning all argument. But Irish Members would not give up their arguments against this Bill. Unless the right hon. and learned Gentleman could give an instance to show that he had information at command to justify what he had said as to the invitation of murderers, and the payment of them by the districts where their crimes were committed, he should be compelled to stigmatize as most wanton the statement he had made.

Mr. PLUNKET said, notwithstanding the statement of the hon. Member for Sligo that these murders were committed at night, the state of terror established in many parts of Ireland was such that all the great crimes which had horrified this country had been performed in broad daylight. Therefore, he said, the clause was necessary to relieve a people, who, he was proud to say, were as free from ordinary crime as any people in the world, from this dishonour and from this evil, which was a permanent source of injury to them. Although, as he had just said, the Irish people were a people wonderfully free from crime of ordinary character, they had been overridden by a system which produced these terrible outrages and assassinations, and, therefore, it was necessary to take the precautions provided by the clause for the purpose of getting rid of those crimes.

The CHAIRMAN pointed out that hon. Members had strayed considerably from the point under discussion, which was as to whether the whole or one-half of the whole charge for extra police should be paid by the district to which they were sent.

Colonel NOLAN said, his argument against the whole of the charge being borne by the district was that the Irish Constabulary had, so to speak, a police value and a military value, which latter, he contended, ought to be paid for out of the general resources of the country. If the Government could not put down crime in the ordinary way, he said they ought not to meet crime with injustice by charging the military value of the Constabulary to the district in which that crime was committed.

Mr. O'KELLY said, if it could be shown that the whole district was in sympathy with the crime committed within it, there would be something in the argument of the right hon. and learned Gentleman the Home Secretary. But he supposed the right hon. and learned Gentleman would not say that everyone who would have to pay taxes for these crimes had an object in those crimes being committed. On the contrary, he presumed he would admit that in the most disorderly district there might be some people who had no knowledge of the crime committed there. Nevertheless these innocent people would, under the clause, be punished as severely as those who had a guilty knowledge of the crime. Now, this was manifestly unjust. The aim of the law ought certainly to be the avoidance, as much as possible, of inflicting punishment on innocent people; it ought certainly to avoid laying upon them heavy burdens which would incline them to sympathize with offences against the law. Now, the right hon. and learned Gentleman expressed himself confident of the success of this blood tax, or punishment, or whatever else it might be called; but, as had been pointed out by the hon. and gallant Member for Cork County (Colonel Colthurst), that although the Government had possessed this power for six years under the Act of 1870, it had never acted in any instance in preventing crime, nor in discovering the criminals. Therefore, it was not to be supposed that it would produce any different result now. One of its effects, however, would unquestionably be to anger the district to which it was to be applied under this Act, and indispose the people to assist the officers of the law in the detection of crime. But Ireland was not the only country in which murders were committed openly. It must be within the memory of hon. Members that a woman had recently been murdered in front of that House at a time when hundreds of people were passing the spot. No one had been brought to justice for that murder, although it had been committed in the sight of many persons. In pursuance of the argument of the Government, the people of Westminster ought to be punished severely for that crime. Under this Bill it would be quite possible to confiscate the property of a whole district, and he should, therefore, support the Amendment, which would have some effect in mitigating the severity of the measure.

Question put.

The Committee *divided*:—Ayes 41; Noes 146: Majority 105.—(Div. List, No. 183.)

Mr. HEALY said, he would not move his Amendment to leave out from "or" to the end of the clause.

Mr. MARUM moved to leave out from "the," in page 7, line 39, to end of the clause, and insert—

> "Grand jury of the county in which such district is situate may determine as hereafter enacted."

His desire was that the Grand Jury, instead of the Lord Lieutenant, should determine the district which should pay for the extra Constabulary. Nearly at the end of the Amendment Paper he had put down an Amendment which would convey his idea in the shortest manner. It was that—

> "'The Peace Preservation (Ireland) Act, 1870,' is hereby re-enacted and shall continue in force for the same period as this Act, and shall have effect as if it were contained in this Act, with the additional power and authority that the grand jury of the county in which such district may be situate shall from time to time present to be paid to the Lord Lieutenant every such certified sum of money in respect to which the Lord Lieutenant may have made an order, and which, in pursuance thereof, shall have become chargeable as aforesaid upon such district or limited portion thereof as determined by such grand jury, such money to be raised, and every such presentment made and levied, in like manner as if such sum were presented to the personal representative of a person murdered, or to a person maimed or injured under the said Act."

He did not wish it to be thought he was in love with the Grand Jury system. He was nothing of the kind; but, at the same time, he considered the system contained some elements of representation. He would prefer that the absolute power to tax the country should be placed in the hands of the Grand Juries rather than in the hands of the Executive. The Peace Preservation Act, 1870, did not contain a provision to the effect that the Constabulary should be applotted in the manner proposed by this section, and his subsequent Amendment would make the taxation for the Constabulary presentable by the Grand Juries. He wished that the principle of representation should be regarded in the case of this taxation. No doubt, the objection taken to his proposal would be that the Grand Jurors would be intimidated from doing their duty. But by the 4th clause the

Government had endeavoured to cope with intimidation of every kind, so that unless they distrusted their own legislation the Government ought not, in regard to this Amendment, to set up the plea of intimidation. He had had a great deal of experience of Grand Jurors and local magistrates, and he might say that intimidation had never been practised upon them. He, perhaps, had exercised his functions as a Grand Juror and as a magistrate quite independently, and had never been subjected to any kind of intimidation. He had no doubt that was the experience of other gentlemen, and, therefore, the plea of intimidation would not hold good. He would much prefer that the Grand Jury of a county, limited, as it was, in point of representation, should assess the taxation for the extra Constabulary, rather than the Executive. He, therefore, moved his present Amendment, and, of course, if it fell to the ground, his subsequent Amendment would likewise fall.

Amendment proposed,

To leave out from "the," in page 7, line 39, to end of Clause, and insert "grand jury of the county in which such district is situate may determine as hereinafter enacted."—(*Mr. Marum.*)

Question proposed, "That the words 'Lord Lieutenant may order' stand part of the Clause."

SIR WILLIAM HARCOURT said, he would not detain the Committee by any lengthened remarks, for really he had to say just what he said on the proposal to insert "magistrates" in this clause. He was of opinion that by the adoption of this Amendment Grand Juries would be exposed to a pressure which they would be very little able to resist. They had heard something of public opinion acting upon Grand Juries and magistrates; but at the present time, unfortunately, public opinion acted in a very peculiar manner in Ireland. He did not think it would be at all safe to leave the exercise of a power of this kind, which unquestionably was one which imposed very severe burdens, which would be very strongly resented, on the Grand Juries. The Government, therefore, proposed to leave the power exclusively in the hands of the Lord Lieutenant.

MR. T. P. O'CONNOR said, he understood the right hon. and learned Gentleman the Home Secretary, just a while ago, when speaking to another Amendment, to say words which he (Mr. T. P. O'Connor) interpreted to mean that he had some idea of himself amending that portion of line 39 which said "by any limited portion of that district."

SIR WILLIAM HARCOURT said, that was not what he had said. What he pointed out was that the question would arise later upon the Amendment dealing with areas. He did not intimate any desire to alter the clause.

MR. T. P. O'CONNOR said, there was no such Amendment on the Paper.

THE CHAIRMAN: There are Amendments on the Paper leaving out the power of limiting the area.

MR. T. P. O'CONNOR said, the reason why he raised the point now was this, that he had intended to raise the question again in the shape of an Amendment to this portion of the clause. He was urged to do so by the observations of the Home Secretary, who, while certainly leaving himself perfectly free as to what he would or would not do, conveyed the impression that he would consider the matter at the proper time.

SIR WILLIAM HARCOURT said, the Amendment he referred to was that standing in the name of the hon. Member for Wexford (Mr. Healy). That Amendment was to leave out from "or," in line 39, to the end of the clause, and that Amendment would have had the effect of leaving out the whole power of limitation.

MR. HEALY said, if he had moved that Amendment, another Amendment could not have been taken.

MR. T. P. O'CONNOR said, he did not suppose the right hon. and learned Gentleman wished to take advantage of the oversight. Would he (Mr. T. P. O'Connor) not be in Order, in case his hon. Friend (Mr. Marum) consented, with the assent of the Committee, to withdraw his Amendment, in going back to that portion of the clause, and in proposing to omit the words "or by any limited portion of that district?"

MR. MARUM said, he would be quite content to withdraw his Amendment. His object in bringing it forward was to protest against the fact that large taxes would be imposed without any direct representation.

Amendment, by leave, *withdrawn.*

Mr. T. P. O'CONNOR moved to leave out, in page 7, line 39, "or by any limited portion of that district." The point was raised on a previous part of the clause; but the right hon. and learned Gentleman had failed to properly appreciate it. The right hon. and learned Gentleman said the districts might be large or small, as the Lord Lieutenant might delegate. That, however, was not the point of the Irish Members. Their point was that the extra police might be sent into a large district, and then the charge might be made on a small portion of the district. That was an obvious injustice which he did not think the Government could have contemplated. An extra police force might be sent to the county of Mayo, for instance, and their cost of maintenance might actually be charged upon a street in Ballina. It surely would be sufficient if the clause ran—

> "The whole, or such part of the whole as the Lord Lieutenant may order, of the amount so certified, shall be a charge payable by the district in which such additional constabulary are employed, as the Lord Lieutenant may order."

Amendment proposed, in page 7, line 29, to leave out the words "or by any limited portion of that district."—(*Mr. T. P. O'Connor.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the object of the clause was to give the Lord Lieutenant the discretionary power to charge the whole or any portion of the expense of the extra Constabulary upon the entire district or any part of the district which might be called the seat of crime. A whole country might be said to be more or less disturbed; but suppose there were spots where the "Moonlighters" carried on their practices, it was considered necessary that the Lord Lieutenant should have the power to levy the taxation upon those spots. The hon. Member (Mr. T. P. O'Connor) certainly put an extreme case when he spoke of the charge being placed on a street in Ballina.

Dr. COMMINS said, there could be no stronger condemnation of the clause than the speech of the Attorney General for Ireland. The right hon. and learned Gentleman had said the object of the clause was to give the Lord Lieutenant power to levy this police tax upon any district which might be called the seat of crime. Would it not follow that, in 99 cases out of every 100, the punishment would fall upon innocent people and not upon the criminals? Under this Bill a policeman would be able to entice a man into a crime he would afterwards denounce, and the consequence might be that the last shred of property a man might possess, although he was not a criminal, might be taken away from him. He wondered that the Government were not ashamed to put forward such a proposition, and to put it forward in such a manner, that a man was to be punished without trial, and that the punishment was to be so severe as in many cases to deprive him even of his last shilling. As the clause now stood, it was obvious that only limited districts would be mulcted. The district might not be one like Ballina, but it might be a limited township with, perhaps, no more than one struggling farmer in it. Townships of this kind existed in Ireland, and such a man as this one farmer might be deprived of every farthing he possessed in the world without any charge being made against him, or without having any opportunity of vindicating his character. He would urge upon the Government to do something to mitigate the undisguised injustice of this section, and to limit the power of the Lord Lieutenant to inflict these punishments on large districts, so that there should be some chance of the money being paid without ruin to the inhabitants.

Mr. HEALY said, the Attorney General for Ireland had made a concession which was so important that he considered it ought to have been made earlier in the discussion. They had all along been trying to drag out of the Government that this was really intended as a punitive clause; and now the right hon. and learned Gentleman at the last moment said that it was not for the prevention of crime, but for the punishment of crime. The Constabulary were simply to be quartered on the people in Ireland as in the old days—they were to have these quarterings of Constabulary upon the people in the future, just as in the past they had had the Hessians from Germany quartered upon them. The point was one of great importance; but he thought they should reserve the discussion until a time when they would be in a better condition to take it. As they would have to meet at 12 o'clock to-day, he begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Healy.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he hoped the Motion would not be pressed. What he had said was that if the character of the offence was of a certain kind, the clause would have a punitive tendency. He did not say that the police were to be sent into a district as a kind of punishment, and be kept there whether there was any necessity for their presence or not. With regard to the Motion which had just been made, and the reason for which it had been brought forward, he would point out that they were all rowing in the same boat. They would all have to be there at 12 o'clock, so that it was not so hard on hon. Members below the Gangway opposite as it was upon the Government. Members of the Government had other business to do besides explaining the provisions of this Bill.

MR. HEALY: And so have we.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that, admitting all that, he thought it would be possible to go on with the Committee a little later to-night.

MR. HEALY said, it was true, as the right hon. and learned Gentleman pointed out, that they were all rowing in the same boat; but it was also true that they did not all row with the same sculls. The right hon. and learned Gentleman said the Government had other things to do. But so had the Irish Members. They had their private affairs to attend to, but they did not get sufficient time to enable them to properly look after those affairs; and, besides, they did not get the handsome salaries for attending to Business in the House which the right hon. and learned Gentleman and his Colleagues received. He should persist in his Motion.

Question put.

The Committee *divided:*—Ayes 24; Noes 114: Majority 90.—(Div. List, No. 184.)

MR. BIGGAR begged to move that the Chairman do now leave the Chair. It was a quarter past 1 o'clock, and it could not be said that if they went on any further, as they had to come back at 12 o'clock, there would be sufficient time for them to rest. He trusted the Government would give the Committee sufficient indulgence to enable them to continue the discussion satisfactorily to-morrow.

Motion made, and Question proposed, "That the Chairman do now leave the Chair.—(*Mr. Biggar.*)

SIR WILLIAM HARCOURT said, he hoped that as they were so very near the end of the clause, they might be allowed to finish it. He might be allowed to say that the points raised by hon. Members opposite might be met by dealing with only a limited part of the district on that portion of the clause which subsequently gave power to the Lord Lieutenant to make exemptions. Under that part of the clause it would be possible to exempt from any heavy tax those persons who were innocent, and who might be materially injured by being called upon to pay an unjust charge. He did certainly accept the principle that a district that had given rise to the employment of additional constables should be the district that should bear the burden; and, certainly, it was not intended that if the whole district required the use of these additional constables, particular parts of the district should be exempted, and only a small portion made to bear the expense. That would not be fair, and that was not the intention of the clause. On the understanding that they might be allowed to go on with the clause, he should have no objection to insert words further on to provide that the charge should not be thrown upon a limited portion of the district, as long as it was understood that the district was one where the additional constables were to be employed.

MR. T. P. O'CONNOR said, he should be very happy if he could accept the right hon. and learned Gentleman's proposal. He did not think they should argue about the Motion to report Progress; but, as far as he understood the right hon. and learned Gentleman, the clause would be left entirely as it was. The Home Secretary said he would retain the power to exempt a portion of the district. [Sir WILLIAM HARCOURT: No, no!] Then he must have misunderstood the right hon. and learned Gentleman. As the proposal was, it amounted to this—to take away the power of placing the burden upon a certain portion of the district, but to give the Lord Lieutenant power to exempt a part of the district.

MR. CALLAN said, this was the most objectionable part of the whole clause. It would enable Mr. Clifford Lloyd—for it was not the Lord Lieutenant directly who would exercise the power, or any of the Special Magistrates or Sub-Inspectors who made the report—to exempt certain portions of a district from taxation in regard to extra Constabulary. This power might be exercised in respect of a townland or a bog. It was no secret that the Government meant, by this clause, to exact from the tenants the funds necessary to pay the expense of the combination proposed by the scheme of the late Member for Carlow (Mr. Kavanagh). One of the Members of the Government, he knew, had recently been in consultation with the hon. Member for Portarlington (Mr. Fitz-Patrick) on this subject. They knew perfectly well what this meant, and that the Government were determined to use this clause for the purpose of breaking down all combinations on the part of the Irish tenants. The hon. Member to whom he referred as having been in consultation with the hon. Member for Portarlington was an accredited emissary of the Government. He would urge the Committee not to give power to the Lord Lieutenant to exempt persons from the payment of this tax, because it would not be the Lord Lieutenant who would really exercise the power. The Sub-Inspectors would do so after consultation with the promoters of this new Land Colonization Association of Ireland.

SIR WILLIAM HARCOURT said, he had not intended to give with one hand and take away with the other. The object of the exemption was very different from the object of that part of the clause which hon. Members wished now to amend. It was this. Supposing a person had his house or property attacked or injured, it might be necessary to have additional constables for his protection. It would be very unfair that such person should be called upon to bear the burden of such a charge. It was, therefore, deemed advisable to take power to make special exemptions in such cases. As to the Lord Lieutenant having power to make a charge over the whole area where additional constables were employed, it had been proprosed to limit it to a portion of the area; but this Her Majesty's Government were willing to give up, because he could quite believe that the power might be unfairly used.

THE CHAIRMAN: I must remind the Committee that the Question is that I do leave the Chair.

MR. SEXTON said, he did not wonder that the Chairman found it necessary to remind the Committee that the Motion before it was that the Chairman do leave the Chair. The right hon. and learned Gentleman the Home Secretary had deliberately led them into a discussion upon another subject.

SIR WILLIAM HARCOURT said, then, all he could say was he regretted very much that he had made this proposal. He had made it in the hope that it would shorten the discussion; and he believed now, as he had believed three or four times previously, that the best thing one should do for the purpose of saving time was to accept Amendments proposed by hon. Gentlemen below the Gangway opposite.

MR. GRAY said, that certainly the right hon. and learned Gentleman, as far as he had been able to observe, seldom erred in the direction he had mentioned. It appeared to him (Mr. Gray) that the remaining words of this clause that the right hon. and learned Gentleman proposed to amend did not bear the limited meaning the right hon. and learned Gentleman put upon them. ["Divide!" "Order!"] The right hon. and learned Gentleman had been allowed to make his statement; but when Irish Members wished to answer him they were not allowed to do so. If the right hon. and learned Gentleman would consent to modify the clause in the sense indicated, the Motion at present before the Committee might, he thought, be withdrawn. As to the right hon. and learned Gentleman regretting having made the proposal, it made no difference to them whether he regretted his action or not. The words which the right hon. and learned Gentleman proposed to leave out in the early part of the clause were immaterial, and ought to have been omitted originally by the draftsman, as there was no meaning in them. They were simply a duplication of something which followed. This proposal reminded him of a story he heard a little time ago, when a Parliamentary draftsman——

MR. BORLASE rose to Order.

THE CHAIRMAN: The Question before the Committee is not with regard to the Amendment or the clause, but whether I shall leave the Chair.

MR. GRAY said, quite so; but he was merely following at a respectful distance the example set by the Home Secretary. As, however, the Chairman called his attention to the fact that the Question was that he should leave the Chair, he should reserve his story about the Parliamentary draftsman until the hon. Gentleman opposite (Mr. Borlase) was in a more indulgent mood. It was now nearly half-past 1 o'clock, and they had to meet at 12 to-morrow. Under these circumstances, and as the Home Secretary did not seem inclined to accept any Amendment which had the least significance, he thought that the present Motion should be withdrawn; but that they should agree to a Motion for reporting Progress.

MR. T. D. SULLIVAN said, he always thought that concessions made by the Government in these matters were made, not to individuals or to parties, but to justice. If concessions were made to justice, why should they be regretted or taken back?

MR. SEXTON said, he was glad that at last they had got from the discussion of this illusory subject. Hon. Members had been here up to a late hour last night, and to-day, from the commencement of Business, they had been continuously discussing this Bill, with no time for rest. In 10 hours more they would have to be back again in the House. It was not in human nature for them to continue any longer. Whatever the right hon. and learned Gentleman the Home Secretary might say to the contrary, they ought not to be asked to go on any further, and, what was more, they would not.

Question put.

The Committee *divided*:—Ayes 22; Noes 105: Majority 83.—(Div. List, No. 185.)

MR. GRAY said, it was unfair to a small majority, contending for principles which they considered of vital importance, that the Government should, without any object, make use of the physical force at their disposal to continue discussion at unreasonably late hours. Some regard must be paid to the weakness of human nature, which in this case rendered repose absolutely necessary, because they had to re-assemble at 12 o'clock to continue the consideration of this Bill in Committee. As they had now devoted 10 hours to this work, he would move to report Progress, and he could see no reason why that Motion should not be agreed to by the Government.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." —(*Mr. Gray.*)

SIR WILLIAM HARCOURT said, the hon. Member for Carlow (Mr. Gray) had made two statements in support of his Motion. He said there was no reason for opposing it, and no object to be gained by opposing it. That there was no object to be gained by that course, experience had shown; but that there was no reason for objecting to Progress being reported, he (Sir William Harcourt) was not able to admit. Again, the hon. Member said that there should be time for reasonable discussion. He was quite in accord with the hon. Member on that point; but he contended that what was taking place on this clause was not in the nature of reasonable discussion. There had only been one point discussed that evening, and that had already been discussed since the clause had been before the Committee. The support which hon. Members had upon the last division on the clause had come more largely from hon. Members in other parts of the House than from the Benches below the Gangway opposite. But in the last division they had received no such support, which clearly showed that the majority considered the course now being taken by hon. Members opposite was unreasonable. It was the opinion of the House of Commons, and he was sure it was also the opinion of the country at large, that the course which was now being taken on this Bill was not taken with a view to reasonable and fair discussion, because on many occasions it had far exceeded those limits. But, as the hon. Member had said, in the present state of its Rules, the House was powerless to contend against a minority engaged in unreasonable opposition.

MR. GRAY said, he must interrupt the right hon. and learned Gentleman for the purpose of informing him that he had never used any such words.

SIR WILLIAM HARCOURT said, he had understood the hon. Member to say that this was a reasonable Motion, and that, in mercy to hon. Gentlemen sitting on the Benches opposite below the Gangway, it should not be resisted by the Government. But there were other hon. Members in the House to whom mercy was not shown—namely, hon. Gentlemen on those Benches who had occupations to pursue apart from their Parliamentary duties—but who felt, nevertheless, that it was their duty to press on with the Bill. Of course, if hon. Gentlemen opposite were determined to carry on opposition of this character, he could not say, on that occasion, at any rate, that the Government were prepared to offer the resistance which certainly, on these conditions, must, in some shape or other, be offered by the House of Commons.

MR. GRAY said, he thought the right hon. and learned Gentleman would scarcely accuse him of unduly delaying the Bill. For his own part, he felt he had not paid sufficient attention to it. Seeing that this was an Irish Bill, if the right hon. and learned Gentleman had looked more closely into the divisions which had taken place, he would have seen that the opinion of Irish Members was overwhelmingly opposed to further discussion at that hour. He said that upon an Irish question the opinion of Irish Members that Progress should be reported was at least deserving of some consideration.

MR. W. HOLMS said, the two Motions for Adjournment had been defeated by very large majorities—the minority in each case being composed of a small faction which mustered but one-fifth of the whole Irish vote. He thought the time had come when independent Members should convey to Her Majesty's Government their advice on this matter. He ventured to say that if the Government would take a more decisive course, in keeping to the Bill more than had been the case up to the present, the measure would advance more rapidly. He trusted the right hon. and learned Gentleman had learned, from what had occurred, that every concession made to hon. Members below the Gangway opposite in respect of this Bill was so much waste of time. He should be glad if Her Majesty's Government would organize relays for the purpose of carrying on the consideration of the Bill, both by day and night, until it was completed; and in that case he felt sure they would receive the support of hon. Members on that side of the House and on the Benches opposite. He ventured to say that the people of Ireland would thank them for pursuing that course, because it could not be too distinctly understood, as he had already stated, that hon. Members who voted in the last divisions in the minority were but a small proportion of the whole number of Irish Representatives.

MR. T. P. O'CONNOR said, he had no objection to the Government proceeding with the Bill in the manner that might recommend itself to the majority; but if they resorted to the plan advocated by the hon. Member who had just spoken, he trusted they would condescend to give the House some reasons for doing so. The point between the Home Secretary and Irish Members had been very much obscured by the passions which had been allowed to rise within the last half-hour. The right hon. and learned Gentleman had refused, after saying that he would accept the Amendment, to carry out his own offer. He had refused to leave out of the clause words which, if retained, absolutely made naught of the concession he had made. The right hon. and learned Gentleman was, therefore, alone responsible for the muddle into which the Committee had been allowed to drift. He must, however, qualify that expression by saying that the right hon. and learned Gentleman had been not only carried away by his own temper, but by the demonstrations of hon. Members who could only cry "Divide!" with respect to a debate not one word of which they had heard.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

METROPOLITAN BOARD OF WORKS (MONEY) BILL.—[BILL 176.]

(*Mr. Courtney, Lord Richard Grosvenor.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Courtney.*)

MR. MONK said, he presumed, from the contemptuous silence of his hon. Friend the Secretary to the Treasury, that he intended to oppose the Motion which he had placed on the Paper that this Bill be referred to a Select Committee. He was somewhat surprised at the course pursued, because, on moving the second reading of the Bill, his hon. Friend said that between that date and the day on which he would put down the Bill for Committee he would consider what course he would take, and whether it was advisable that the Bill should be sent to a Select Committee or not. It was true that in the Lobby his hon. Friend had stated that he did not think it advisable that the Bill should be so referred; but it appeared to be only fair that he should state the grounds on which his conclusion was founded. He desired to call attention to Standing Order No. 194, which said that—

> "All Bills promoted by the Metropolitan Board of Works containing power to raise money shall be introduced as Public Bills, and after being read a second time by this House, shall be referred to a Select Committee, to be nominated by the Committee of Selection in like manner as Private Bills."

Now, he had submitted to the judgment of Mr. Speaker last year whether a Bill which was brought in by the Government on behalf of the Metropolitan Board of Works ought not to have been so sent up to a Select Committee; but, unfortunately, he did not become acquainted with the Standing Order in question until that Bill had passed through the Committee of the House, and, therefore, it was too late for Mr. Speaker's decision to be given when the occasion arose. But Mr. Speaker had said he should have hesitated to give an opinion, and that he thought it better to leave the matter to the decision of the House. He thought that not even the Secretary to the Treasury would contend that this was not a Money Bill, or that it was not promoted by the Metropolitan Board of Works and placed in the hands of the Treasury to introduce in that House. This was a Bill to enable the Metropolitan Board of Works to tax the taxpayers of the Metropolis to the extent, this year, of something like £3,200,000. Passing from the Standing Order, which appeared to him to be imperative, he distinctly charged the Government, in the person of his hon. Friend the Secretary to the Treasury, with a breach of faith if they did not agree to the Bill being sent up to a Select Committee. Last year, when he (Mr. Monk) made this proposal, the late Secretary to the Treasury expressed himself very favourable to such a course being adopted. [Sir JAMES M'GAREL-HOGG: No, no.] Did an hon. Member say "No, no?" [Sir JAMES M'GAREL-HOGG: Yes; I said "No, no."] His hon. and gallant Friend the Member for Truro (Sir James M'Garel-Hogg) said "No, no." If the hon. and gallant Gentleman had *Hansard* within his reach, and would be good enough to refer to Vol. 263, page 1882, he would find the following words of the late Secretary to the Treasury (the late Lord Frederick Cavendish):—

> "There was a general understanding that it would have been well, under ordinary circumstances, to have had the measure referred to a Select Committee; but that, owing to the period of the Session (July 25) and the Business before the House, it would not be wise so to refer it."—[3 *Hansard*, cclxiii. 1882.]

And the late noble Lord, at an earlier stage of the Bill, had said—

> "He hoped his hon. Friend (Mr. Monk) would not press his Amendment to a division, although he was very much inclined to agree with the object of it. It seemed to him very desirable that this Bill should be considered by a Select Committee: . . . and he hoped the Bill would be introduced next year at such a period that it might be referred to a Select Committee."—[*Ibid.* 1726.]

He (Mr. Monk) asked the House if anything could be clearer; and he appealed to the Members of the Government, of whom he saw a great number on the Treasury Bench, whether that was not a distinct pledge that the Bill should be introduced at an early period this year in order that it might be referred to a Select Committee? The Bill was introduced at a much early period this year than ever before. It was introduced on the 23rd of May, and he would give the House the dates on which it had been introduced during the last seven years. Seven years ago, when the late Government was in power, the Secretary to the Treasury introduced this Bill of the Metropolitan Board of Works on the 5th of July. In 1876 it was introduced on the 13th of July; in 1877, on the 16th of July; in 1878, on the 19th of July; in 1879, on the 29th July; in 1880, on the 26th July; and last year it was introduced on the 1st of July; and this year, in consequence of the pledge which was given to the House, the Bill was introduced two months earlier—namely, on the 23rd of May. Now, he asked on what ground did the hon. Gentleman the Secretary to the Treasury refuse to refer this Bill to a Select Committee? He (Mr. Monk) would certainly take the sense of the House with regard to referring this Bill to a Select Committee. In order to meet the convenience of those hon. Members who wished to take the division and then go home, he would now confine his remarks to the pledge which was given, reserving to himself the right of discussing the Bill, which he would have to do at some length, if the House decided the measure should not go to a Select Committee. He begged to move the Amendment which stood in his name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be referred to a Select Committee,"—(*Mr. Monk,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. COURTNEY regretted very much that his hon. Friend the Member for Gloucester (Mr. Monk) should have thought he (Mr. Courtney) was guilty of any discourtesy in moving without a speech the Motion that the Speaker do now leave the Chair. At that time of the night, and with the remembrance before them that they had to meet again at 12 o'clock, he thought some respect was due to the House in general and that no words should be wasted that could by any possibility be saved. He need not tell the House that when the Bill was read a second time he gave his reasons for thinking it would be impolitic that they should refer it, this Session, to a Select Committee. He gave those reasons at some length, and he consented to postpone the Motion to consider the Bill in Committee for a considerable time, in order that he might confer with those who were interested, to learn their opinions, and come to some conclusion upon the matter. He had in in the meanwhile availed himself of that opportunity in order to ascertain from the Members who were specially interested what they thought upon the proposal to refer the Bill to a Select Committee. He conferred, amongst others, with his hon. Friend the Member for Gloucester. He learned what his hon. Friend the Member for Gloucester had to say, and he gave the hon. Gentleman his reasons for thinking that the judgment of the House might go against him. If they could economize their time at all, they must do something of this kind and not repeat before the House what was well known to its Members. He believed that the practice of exchanging sentiments in the Lobby was most beneficial and likely to economize time, and he had conferred with hon. Gentlemen with that object. He would repeat shortly why he thought this Bill could not with convenience be referred to a Select Committee. The consideration of the Bill by a Select Committee would require a whole Session. [Mr. Monk: No, no!] The consideration of this Bill, as conceived by his hon. Friend and some of those who supported him, was neither more nor less than a Reference to the Select Committee of the whole conduct of the Metropolitan Board of Works. He did not at all dispute that that was a subject which might very well be considered by a Select Committee some day; but it would be impossible to consider—as it should be considered—the conduct and management of the Metropolitan Board of Works, without beginning the business at the commencement of the Session, and even then, he thought the labours of the Committee would not only extend throughout the Session, but throughout the next Session also. A Select Committee had been considering one branch of the Metropolitan Board of Works a greater part of last Session and this Session—namely, the action of the Metropolitan Board of Works with regard to artizans and labourers' dwellings. To consider the conduct of the Board of Works with respect to drainage, with respect to new streets, their action with regard to the Embankment, their system for the prevention of floods, the improvements of parks and open spaces, and in addition to consider their financial management, could not, even in the opinion of the most sanguine person, be done fully and adequately in one Session. It would be useless to suppose that they could at that period of the Session enter on such work. Well, then, his hon. Friend had dwelt, not for the first time, upon the speech made by his noble Predecessor (the late Lord Frederick Cavendish). He (Mr. Monk) very frankly read them a quotation from the speech of the late noble Lord; but the words of the late noble Lord showed no more than this—a benevolent attitude of mind towards the suggestion to refer the Bill to a Select Committee. There was nothing in the nature of a pledge quoted by his hon. Friend (Mr. Monk). The words were before the House and could be judged by anybody; he submitted that they did not constitute a pledge at all. Reference was made to the Standing Order of the House, which was supposed to compel the Bill being referred to a Select Committee; but surely that position could not possibly be maintained. As he said at the outset, he did think at that time of the morning he ought not to make a long speech. He thought it impossible that the Bill could be referred to a Select Committee, and he hoped the House would support the Motion that the Speaker do now leave the Chair.

MR. WARTON said, he had a distinct recollection of the effect produced in the House by the words of the late lamented noble Lord the Secretary to the Treasury (Lord Frederick Cavendish), and he thought it was rather too bad for the late noble Lord's Successor to talk about those words being prompted by mere benevolence. The late noble Lord was too honourable a man not to keep a pledge when he had given one, and the reason why the Bill was brought in so early this Session was that the Government meant to keep the pledge they had given. If they did not intend to keep it, there was no need to bring the Bill in earlier than usual. What was now done certainly amounted to a breach of faith. In plain words, the Government were not keeping their promise, a thing they did on many other matters besides this. He supposed the Government intended to hold out now a sort of promise for next year. [MR. COURTNEY: I make no pledge.] Better not, and then the pledge could not possibly be broken. The want of time was an excuse which was thoroughly inefficient. If the 23rd of May would not do, the Government ought to have brought the Bill in on the first day of the Session, and in that way not break faith, which had certainly been done with regard to the distinct undertaking of last year. There was another point in this case which ought to be considered, and that was the barefaced way in which the Metropolitan Board of Works went on, year after year, adding to its functions. The 13th section of this Bill dealt with matters which ought not to belong to the Metropolitan Board of Works, and that was an additional argument why the Bill should be referred to a Select Committee. It seemed really wrong—he did not wish to use a harsher word—that the Government should year after year put the House off in this way. What was the undertaking, or promise, or pledge, or benevolent intention of the present Secretary to the Treasury? The hon. Gentleman was certainly not so benevolent as his Predecessor. They heard about next year, and almost in the same breath as the endeavour was made to put them off with a plea of next year, they were told it would take the whole of the Session. If it could not be done now, it never would be done, and that was the effect of the Government taking upon themselves the responsibility of the Metropolitan Board of Works. Last year the Speaker decided that the Bill of the Metropolitan Board of Works, because the names of two Members of the Treasury Bench were upon it, was promoted by the Government. He was not there to dispute the Speaker's ruling; but he certainly thought that, within the spirit of the Standing Order, it was perfectly clear that the Bill ought to have been referred to a Select Committee. It seemed a farce, that, according to the Standing Orders, this Bill should be referred to a Select Committee, and that it was not referred to a Select Committee. Millions of pounds a-year were involved in this Bill, and it seemed unreasonable that millions of pounds should be raised from taxpayers, and that the taxpayers should have no control over the expenditure, because the Government had thrown its shield over a Board which arrogated fresh functions every year. He should certainly support the Amendment of the hon. Member for Gloucester (Mr. Monk).

Sir JAMES M'GAREL-HOGG said, he was in a very difficult position at that time of the morning, because, if he had time, he could answer every one of the observations of the hon. and learned Gentleman who had just sat down; and also those made by the hon. Member for Gloucester (Mr. Monk). He (Sir James M'Garel-Hogg) had had 20 years' experience of the work of the Metropolitan Board of Works, and for 12 years had been Chairman of that Board. He could only say that if this Bill were to be sent to a Select Committee, it would be impossible, under any circumstances, to carry on the work of the Board. He could go through section after section of the Bill and show that the Metropolitan Board of Works were not trying to arrogate to themselves any fresh functions at all. These Bills were brought in and passed by both Houses, and then they received the Royal Assent. This Session there had been a very great improvement made in Tooley Street; and surely it was not befitting that what the Houses of Commons and Lords had agreed to should be sent up for judgment by a Select Committee. He could give the House many other instances, but he did not think it would be right, at that time of the morning, to do so. It was certainly his opinion that the hon. Member for Gloucester (Mr. Monk) had not properly looked into the matter. The hon. Member could not understand the affairs of the Metropolis, otherwise he would not have introduced this Motion into the House.

Mr. W. H. JAMES said, that if there was one speech more than another which would entitle the Government to support it was the speech delivered by the hon. and learned Member for Bridport (Mr. Warton). The House was perfectly willing to accept the assurance of the hon. and gallant Gentleman the Chairman of the Metropolitan Board of Works; but, apart from those assurances, there was a much larger and important consideration, and that was the view taken on this subject by the ratepayers of the Metropolis. There was a great public feeling, not only in that House but outside, upon this subject. It seemed perfectly monstrous to many that such a large sum as £3,000,000 should be annually extracted from the taxpayers of the Metropolis, and with regard to this large expenditure the public should remain in complete and total darkness. He would have much pleasure in supporting the Motion of his hon. Friend. In conclusion, he would ask the Speaker whether, in pursuance of Standing Order 194, this Money Bill ought not to be referred, in the ordinary course, to a Select Committee?

Sir JAMES M'GAREL-HOGG said, the Speaker had decided the question of Order now raised last year. He (Sir James M'Garel-Hogg) might say that this Bill was not promoted by the Metropolitan Board of Works at all. It was promoted by Her Majesty's Government against the wish and will of the Metropolitan Board of Works, because they did not wish that, year after year, what was passed by the Houses of Parliament should be brought up over and over again, as this had been. The Metropolitan Board of Works had nothing whatever to do with the Bill beyond acceding to what Her Majesty's Ministers did in regard to it.

Mr. MONK pointed out, that when the question with regard to the Standing Order was raised last year the Speaker hesitated to decide the question, and said he would leave it to the decision of the House. He (Mr. Monk) would like to point out that, though the Bill was brought in by the Government, it was clearly promoted by, and for the benefit of, the Metropolitan Board of Works.

Mr. SPEAKER: I find that at the back of this Bill there are the names of the two Secretaries to the Treasury, and I apprehend that there can be no doubt the Bill is brought in on the responsibility of Her Majesty's Government.

Question put.

The House *divided*:—Ayes 59; Noes 19: Majority 40.—(Div. List, No. 186.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Warton.*)

Mr. COURTNEY said, he should be glad to report Progress if hon. Members would allow him to take the uncontroversial part of the Bill—namely, up to Clause 7.

Mr. WARTON said, he would have no objection, if that pledge of the Government would only be kept.

Motion, by leave, *withdrawn.*

Clauses 1 to 7, inclusive, *agreed to.*

Committee report Progress; to sit again upon *Friday.*

CORN RETURNS (NO. 2) [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any Expenses which may be incurred by the Commissioners of Inland Revenue or the Board of Trade under the provisions of any Acts of the present Session for amending the Law respecting the obtaining of Corn Returns.

Resolution to be reported *To-morrow.*

ARREARS OF RENT (IRELAND) [PAYMENT OF LIABILITIES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of any liabilities which may be incurred by the Land Commission under the provisions of any Act of the present Session for making provision respecting certain arrears of rent in Ireland, and which, though primarily charged on the Irish Church Temporalities Fund, that Fund is insufficient to defray.

Resolution to be reported *To-morrow.*

House adjourned at half after Two o'clock.

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HOUSE OF COMMONS,

Wednesday, 28th June, 1882.

MINUTES.] — Private Bill (*by Order*) — *Considered as amended* — West Metropolitan Tramways*.

Public Bills — *First Reading* — Elementary Education Provisional Orders Confirmation (Finchley, &c.) * [219]; Municipal Corporations (Unreformed) * [220].

Second Reading — Surrey (Trial of Causes) * [204].

Select Committee—Report—Public Offices Site [No. 253].

Committee—Prevention of Crime (Ireland) [157] —R.P. [*Twentieth Night*].

Committee — Report — Baths and Washhouses Acts Amendment * [201].

Third Reading—Local Government (Ireland) Provisional Order (No. 4) * [173], and *passed.*

Withdrawn—Spirits in Bond * [54].

QUESTIONS.

EGYPT—THE RECENT CRISIS—SAFETY OF EUROPEANS.

Mr. J. LOWTHER: Seeing the Under Secretary of State for Foreign Affairs in his place, I would like to ask him, Whether the Government would desire to make any communication to the House with respect to certain disquieting rumours in circulation with regard to the danger to European life in Egypt? I need hardly say I do not allude to any rumours respecting military preparations, which, in my opinion, are improper subjects for Questions in this House, nor do I desire to ask the Government for any information they may not think it desirable in the interests of the Public Service to furnish, but merely to ask the hon. Baronet if he has any information he may desire to give to the House?

Sir CHARLES W. DILKE: No, Sir; I am not in a position to make any statement on the subject. There was a rumour the day before yesterday that 10 Greeks had been killed in the interior of Egypt; but we have had no confirmation of it, and, indeed, no further information on the subject.

STATE OF IRELAND—REPORTED MURDER NEAR TRALEE.

Mr. J. LOWTHER: I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government are in possession of any information respecting the reported brutal murder last night of a caretaker in the occupation of a farm near Tralee; and, whether, if that report is correct, the murdered person is one of the men said to have been shot at a fortnight ago?

Mr. TREVELYAN: Sir, the Government are not in a position to give any information at present. I am just making arrangements to send to Ireland for inquiries regarding the report in question.

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 27th June.*]

[TWENTIETH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART III.

GENERAL POWERS.

Clause 15 (Additional Constabulary force).

Amendment proposed, in page 7, line 39, to leave out the words "or by any limited portion of that district."—(*Mr. T. P. O'Connor.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR WILLIAM HARCOURT said, that, as he had said last night, he was prepared to assent to the omission of the words "or by any limited portion of that district" in this sub-section of the clause, because he thought that the matter was covered by the words which followed.

MR. J. LOWTHER said, he did not quite understand what it was the right hon. and learned Gentleman proposed to obtain by the Amendment. He did not know whether the Committee thoroughly understood the way in which a provision of this kind was worked? He himself had had some experience, when filling the Office of Chief Secretary for Ireland, of the working of a provision of this kind—perhaps more experience than any other Member in the House at the present moment. The course pursued was this. When the Irish Government satisfied themselves that there was a particular district in which it was desirable to employ an additional force of constables owing to the prevalance of crime and outrage, the charge for the additional expense incurred in consequence was levied upon that district; but it was within the power of the Lord Lieutenant, if he ascertained by the means at the disposal of the Government that there were persons in the district who were well affected towards the Government, and who had assisted the Government in the preservation of life and property, to exempt such persons from the burden of the cost. He presumed that the present clause was taken from the Acts of 1870 and 1875. [SIR WILLIAM HARCOURT dissented.] Then if it had not been taken from those Acts it ought to have been. At any rate, the same principle was followed, and the object he (Mr. Lowther) aimed at was to enable the Government to exempt individuals who were well affected to the cause of order as well as to exempt a certain portion of the locality which might not have been implicated in the outrages and crimes for which an additional Constabulary force was employed.

SIR WILLIAM HARCOURT said, he thought it would save time if he pointed out to the right hon. Gentleman that that question would arise upon another part of the clause.

MR. J. LOWTHER said, that if he understood the right hon. and learned Gentleman simply to admit that the words he proposed to strike out were only to be struck out on the ground of surplusage, then that would be a different matter; but he had rather understood him to desire to omit the words because he thought that in principle they were objectionable. Now, that was a question of great importance to the protection of life and property in a disturbed district. The principle hitherto acted on had been to exempt individuals and particular localities which, in the opinion of the Government, did not deserve punishment, and which had afforded assistance to the Executive authorities in the maintenance of law and order. Take the case of a man who had been placed under the system of what was called "Boycotting," or who might have sustained actual outrage. If the tax were levied upon the entire district, it would include the unfortunate person upon whom the outrage had been committed, and persons who had openly or covertly sympathized with the perpetrators of outrage would have the satisfaction of seeing a tax imposed upon the victim as well as upon themselves. He trusted that the Government did not propose, by accepting this Amendment, to include in the payment of the tax persons who had afforded evidence of zeal in the cause of law and order. If they did, he thought the clause would become a source of mischief rather than of advantage. Was he to understand from the right hon. and learned Gentleman that the omission of these words would, in no shape or form, affect the discretion of the Executive Government in giving exemption from payment of the tax?

SIR WILLIAM HARCOURT said, he was prepared to abide by the statement he had made last night. He thought the best course would be to make the charge in the first instance upon the district in which the constables were employed; but he thought there ought to be a power of exemption specified in the clause. At the present moment all he proposed was that the charge *primâ facie* should fall upon all persons in the district where the additional Constabulary were employed, reserving to the Executive the power of exemption by another part of the clause.

MR. O'KELLY thought the right hon. and learned Gentleman must be aware that the power of exemption was a power which might be scandalously abused in the working of the Act. The right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) had made a very disingenuous speech. As the right hon. Gentleman put the case, the power of exemption was simply to be exercised in the case of persons who had been "Boycotted," and who were especially the objects of protection, and whose lives and property were in danger. Now, it was not for that purpose that the right hon. Gentleman desired this provision, but really for the purpose of enabling the Lord Lieutenant to exempt specified areas in order that the gentry of the district might do as they had hitherto done—namely, get themselves exempted from the operation of the clause and throw the whole burden of payment upon the most poor and wretched of the inhabitants of the county. That was the course which had always been pursued by Dublin Castle. With regard to the statement just made by the right hon. and learned Gentleman the Home Secretary, that the charge would be placed upon the district where the protection of the additional Constabulary was required, he thought they ought to have some guarantee from the Government that the district would be of a certain width, and that there should not be a case similar to some which had occurred under the old law, where the fine was placed on such a restricted area as practically to amount to the confiscation of the property of the whole of the people within the district. It might easily be conceived that if this power were unrestricted it might be most tyrannically used. It certainly had been tyrannically used in the past, and therefore the Government ought to give the Committee some guarantee that they would take measures to prevent such a use of the power in future.

MR. MACFARLANE asked the right hon. and learned Gentleman the Home Secretary, if he would explain what substantial difference there was between the power of charging any limited area and the power of exempting any limited area, because it followed that if certain places were exempted, the places not exempted would be the limit of the area charged. He therefore did not see that the omission of these words would make the slightest difference in the effect of the clause. The clause provided that—

> "The whole, or such part of the whole, as the Lord Lieutenant may order;"

and then it went on to provide that—

> "The Lord Lieutenant may exempt from charge any specified portion of the area declared to be chargeable, or any specified rateable property in such area."

He therefore could not see that the omission of the words—

> "Or by any limited portion of that district as the Lord Lieutenant may order,"

made any substantial difference whatever. The Lord Lieutenant would have power to charge the whole district; but then, by the last part of the clause, he would have power to exempt first one part and then another until he reduced the area to what he conceived to be right; and, therefore, he had full power to confine the charge to any part of the district he chose.

SIR WILLIAM HARCOURT said, he was willing to take either one course or the other—either to leave the words out or to retain them—but in his opinion the omission of the words would make a difference; and if hon. Gentlemen opposite thought they would not make a difference, why should they object to the omission of the words? He had already said that, first of all, there was to be a charge on the general district, and he declined to be drawn into a discussion as to the question of exemption, which would more properly come on afterwards. He considered that the power of exemption must be given, and when they came to that particular point he would state what the view of the Government was with regard to it. The proposal of the hon. Member for Galway (Mr. T. P. O'Connor) to omit these words was quite consistent with the view the Government took, that they should reserve to the Lord Lieutenant the power of exempting certain areas. It would, however, be quite irregular to discuss that question until they came to that part of the clause which made provision for exemptions; and he hoped, in the interest of time, the Committee would be allowed now to dispose of the present Amendment, and then go on to discuss the question of exemption.

Mr. J. LOWTHER said, he had not drawn attention to the matter with any idea of attaching undue importance to matters of detail. This was a question upon which he confessed he thought very strongly. He remembered a case in which an outrage was committed in a particular townland. A force of police constables was sent down with a view of overawing the persons in that townland, and affording some security for life and property within its boundary. It so happened that there was no place suitable for the erection of a police hut within that townland, and places that were available could not be obtained because the persons to whom they belonged declined to afford facilities to the authorities for the erection of a hut. The result was that they had to put up a hut in an adjoining townland, and the question might arise in such a case as to the persons upon whom the expense was to be charged. It was certain that the cost ought not, in such a case as the one he had just cited, to be placed upon the townland in which the police hut was erected, because there was an absence of crime there, and it was only erected in that townland on account of the refusal of the people of the townland where it ought to have been erected to give facilities for its erection. On similar grounds he thought that where it was found necessary to employ an additional Constabulary force for the prevention of crime and outrage, the expense of that force should not be thrown upon the district in which the people had made themselves prominent for their support of law and order. He hoped he should not be misunderstood, but if the right hon. Gentleman the Chief Secretary had had occasion to administer the law in cases of this kind, he would have found it of the utmost importance that the hands of the Executive should be left free.

Mr. WARTON said, he rose to express a hope that, if the Home Secretary was in a frame of mind that would enable him to do either one or the other, he would keep the words in the clause. The right hon. and learned Gentleman was good-natured enough last night to offer to withdraw the words, but his concession was not received in a corresponding spirit by hon. Members below the Gangway; and he (Mr. Warton) would respectfully suggest that he should now reconsider his decision and consent to retain the words. It seemed to be assumed last night that the words, "or by any limited portion of that district as the Lord Lieutenant may order," were in some way equivalent to the remaining words of the section, and only a different way of stating the same thing. The words in question were that—

> "The Lord Lieutenant may exempt from charge any specified portion of the area declared to be chargeable, or any specified rateable property in such area."

He thought the clause as it was drawn only gave a proper discretion to the Lord Lieutenant, but it would be quite proper to change the word "district" to "area." In the first part of the clause it was provided that the Lord Lieutenant might order a charge to be made payable by a district or any part of a district; and when he ordered any district or part of a district to be charged, whatever part he ordered to be charged would become the area. It seemed to him that the words they were now considering enabled the Lord Lieutenant to limit the district; and the following words enabled him, after having limited the district, to make a further limitation in that limited portion of the district, which limited portion became the area. He therefore thought that if the Committee wanted to strike out these words they would be limiting the discretion of the Lord Lieutenant.

MR. MARUM said, that before the words were omitted he should like to know what was the real intention of the Government in the matter? The charge was first to be put upon the entire district, and then the Lord Lieutenant was to have power of limiting the charge of a portion of the district. Now, suppose that a fine of £100 was levied upon a district, and that then a limitation was made which exempted a portion of the district from payment of part of that sum of £100, how was the exempted portion of the payment to be obtained? Would the Government pay it themselves? He wanted to know whether the effect of the strict reading of the Amendment would be that the exempted portion of a district would remain clear of charge, and that the entire rate would be levied upon the unexempted portion; in point of fact, what he was anxious to get at was, who was to pay the exempted portion? Was it to fall through altogether, or was the sum chargeable to be re-assessed and put altogether upon the non-exempted portion of the district?

MR. MITCHELL HENRY said, he believed that this provision was a very wise and proper one, if it were only properly worked. It was quite right that the innocent should not be punished for the misconduct of the guilty. He considered that the concession made by the Government last night took away all the objection which had been urged against the clause. The clauses in the Acts already existing had worked very unfairly, because for years many of the counties had not employed the number of police to which they were entitled. He understood that, under the present clause, nothing was to be charged except the extra number of men beyond the number which ought to be by law in the county. If any portion of the county was disturbed, it was the business of the Executive to so apportion the police force of the county as to make it applicable to the particularly disturbed area, and in that case there would be no additional charge whatever. He wished to know if he was right in that assumption, and that there would be no charge for extra police until the force the county was entitled to possess had been exceeded? As he understood the concession made last night, it would work in this way. No charge would be made for extra police in any district until the full amount of police was already in the county, and all contingencies were allowed for. As Her Majesty's Government remained silent, he gathered that he was correct in that assumption. Then that force could be drafted into any area in which an extra force was necessary. There might be a riot or something of that kind, and, as was the case in this country, a large force of police would be taken there, but no additional charge would be made upon the county. The objection which was made to this provision was that hitherto these exemptions had been unfairly worked, and especially under the administration of the right hon. Gentleman opposite (Mr. J. Lowther). He would tell the Committee what had happened. He was sorry to detain the Committee; but this was an important matter of principle, and ought to be thoroughly understood. Some years ago, a disused police-station in his district was re-established. Because the county had been so peaceable, and no crime had existed in it for years, the Government had actually withdrawn every policeman, and left a large district, nearly 70 miles square, altogether bare. There was some talk about the magistrates not having done their duty; but the magistrates represented, over and over again, to the Government that the old police barrack ought to be re-established, and eventually the Government did re-establish it; but they placed the cost as a charge upon an area. Those were the sort of things that were objected to; but he thought the concession made by the Government last night would remove the objection. He believed that, as a general rule, the police force allotted by law to different counties was ample for all purposes in regard to the preservation of law and order; and if there were a disturbance in any particular district a larger force from the county police could be drafted into that district. That was the proper mode of administering the law. At the same time, it was not at all desirable that a charge should be made upon the innocent as well as the guilty for such a purpose; but if, over and above the strength of the county force, it was necessary to supply an extra force in a particular district, then it was only fair that those who were really supposed to be guilty should pay for the force employed. He supported the Amendment because he believed that the concession made by the Government took the sting out of the clause.

Mr. PLUNKET said, he was not sure that the words proposed to be omitted carried out the principle of the concession made last night. He quite agreed with his right hon. Friend the late Chief Secretary for Ireland (Mr. J. Lowther); but he could not help thinking, with the particular purposes in view, the clause, as proposed to be amended by the Home Secretary, would answer all purposes. The difficulty of his right hon. Friend was that it might be necessary to impose a charge on a different part of the townland to that in which the police huts were situated. The words, however, of the clause did not apply to the places where the police were billeted, but only to the locality in which they were employed; and he thought the omission of the words included in the Amendment would render the clause rather more favourable to the people of the locality than the way in which it at present stood in the Bill. The only difference would be this—that whereas they might employ the police for a considerable district—and it would be perfectly well known that a considerable part of the district was free from all imputation of crime—the Lord Lieutenant would, in the first place, impose the charge upon the entire district; and then, as far as he could, would take steps for exempting innocent people. As the clause stood, innocent people might be brought under it. It had been clearly expressed, however, that that was not the policy of the Government; but they only desired to provide that where it became necessary to use a police force in excess of the county force in certain districts, the whole district should, in the first instance, be required to bear the cost. He thought there should be a power given to the Lord Lieutenant to exempt those portions of the district which were free from crime from any share in the payment of the additional Constabulary Force employed.

Mr. J. LOWTHER said, the hon. Member for Galway (Mr. Mitchell Henry) had reverted again to a matter which formed the subject of a good deal of correspondence between the hon. Member and himself (Mr. J. Lowther), as well as of discussion in that House several years ago. He would not detain the Committee by re-opening the question now; but he took exception to the observation of the hon. Member that he himself (Mr. J. Lowther) had unfairly administered a clause similar to the present one contained in the previous Act. The hon. Member had forgotten to say that the disused barrack, which was taken advantage of by the authorities for the purpose of a police station, was so employed at the request of the hon. Member himself. [Mr. Mitchell Henry: Of magistrates.] The hon. Member was correct. It was at the request of the magistrates, of whom the hon. Member formed a distinguished element. The hon. Member supported the magistrates in their correspondence with the Government, and in their interviews with him (Mr. J. Lowther), and also in the discussion which took place in that House. The fact was that this disused barrack was taken advantage of for the purpose of quartering the police sent into the district at the request of the magistrates; and the hon. Member for Galway (Mr. Mitchell Henry) said the Irish Government was guilty of injustice to the ratepayers, because the ratepayers were charged with an additional cost. If he (Mr. J. Lowther) remembered rightly, this particular case would not have come under a section like this at all, because he thought it was a charge imposed upon the general county rate. The hon. Member would correct him if he was wrong. That was a very different thing from a charge imposed under a punitive section of this kind, and it was a fair case for charging the hon. Member (Mr. Mitchell Henry) and his neighbours with the expense, in common with the general ratepayers of the county. That was his recollection of the matter. At any rate, it had nothing to do with this Amendment, which dealt with a very different matter. The hon. Member complained that the county of Galway had not at the time the additional force was sent their full quota of police, as settled by Act of Parliament. His contention was that before an extra charge of any kind was levied upon a county, or upon a small district within that county, the full quota of police should be made out. He thought there was a good deal to be said for that contention; but the hon. Member would remember the circumstances of the case. The county of Galway had, until certain pernicious teachings were brought before the peaceable inhabitants, been happily, to a great extent, exempt from agrarian crime, and on consideration of that fact, the Government withdrew some of the police from the neighbourhood, and sent them to other parts of Ireland, where their presence was more urgently needed. But in the course of time circumstances led to that step being retraced, and the hon. Member must now be painfully familiar, as well as the rest of the Committee, with the fact that agrarian crimes had been constantly perpetrated in that district. The question now before the Committee was a very different one, and he thought his right hon. and learned Friend (Mr. Plunket), who had offered some valuable suggestions on the subject, had scarcely failed to gather what he (Mr. J. Lowther) meant. He had referred to a case in which a police hut was erected in a townland in which outrages had not been committed; it was erected solely because it was the only place in which facilities were afforded for the erection of the hut. He might mention another case, in which outrages and murder had been committed, and it was found necessary to send a police force for the special protection of persons residing in a particular townland, although there was reason to believe that the perpetrators of the outrages were resident in another townland. In that case the course pursued was to charge the cost of the force not on that townland where the police was sent for the purpose of protection, but on the townland in which the sympathies of the inhabitants were in favour of those who had committed the outrages. If the clause were to be interpreted in the way some hon. Members were inclined to interpret it after the omission of these words, it would become the duty of the Government, although they might exempt A or B on the ground of having made themselves prominent in the cause of law and order, to charge the expense of the extra police force upon the townland in which the police hut was erected. His right hon. and learned Friend (Mr. Plunket) had failed to catch his point, which was that the cost of the extra police force should be charged only upon those places where the perpetrators of outrages, or those who harboured the criminals, resided. There would be no use in sending a police force to such places, but it was necessary to send them to protect the caretakers of "Boycotted" land. He thought the Committee would see that, in spirit at any rate, these words could be retained, even if, as a matter of draft, it was not considered necessary to retain them. He had no objection, if the Home Secretary was satisfied, to their being struck out; but he wished it to be distinctly understood that he attached considerable importance to the principle involved in this provision.

MR. T. P. O'CONNOR thought it somewhat unfortunate that the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther), and other Gentlemen who had taken part in the discussion, had not stopped as late in the morning as other hon. Members had. [MR. J. LOWTHER: I was here until half-past 12.] The right hon. Gentleman said that he stopped there until half-past 12; but if he had remained a little later he would have discovered that a very lively time was going on up to half-past 1 in the morning, when the question was discussed at considerable length. They had now been more than half-an-hour engaged in a conversation in which the right hon. Gentleman (Mr. J. Lowther), who had not listened to the debate last night had taken the chief part, and other hon. Members who were also absent last night were now engaging in a personal controversy upon a subject which had nothing to do with the clause whatever. The only thing that was required to make the absurdity complete was that the hon. Member for Paisley (Mr. W. Holms), who was now sitting opposite, should get up and continue the course of obstruction and irrelevancy hitherto adopted by English Members. The matter between the Irish Members and the Home Secretary was not a matter of words, but a matter of principle. He (Mr. T. P. O'Connor) had listened attentively to everything that had taken place on the clause, and he was at a loss to reconcile what he understood to be a definite and clear undertaking by right hon. and learned Gentleman, and the concessions which he had made. The right hon. and learned Gentleman, last night, when he (Mr. T. P. O'Connor) brought forward the

Amendment as it at present stood, said it would be impossible to confine the payment of this money to a single street, or single townland; but he said that it would not be unfair to minimize as far as possible the number of persons in an area on whom the charge would be thrown, so as to render the payment oppressive and penal. If he correctly represented the undertaking of the right hon. and learned Gentleman, he believed the Home Secretary regarded that as a fair and honest objection to the clause, and if the right hon. and learned Gentleman did not contradict him now, he should take it for granted that he assented to his representation. The right hon. and learned Gentleman having agreed to make this concession, how had he met it? He said that he would accept the Amendment which he (Mr. T. P. O'Connor) had moved, and leave out the words, "or by any limited portion of that district;" but in the next breath the right hon. and learned Gentleman said that the words which immediately followed, and which absolutely left the clause exactly as it stood, would be retained. He asked the right hon. and learned Gentleman how he proposed to carry out his undertaking to remove this objectionable part of the clause, if he retained the same objection in principle to another part of the clause?

Sir WILLIAM HARCOURT said, he must really ask the Committee to proceed to dispose of the Amendment. He deprecated these collateral discussions. He had expressed his desire and willingness to accept the Amendment, and he would not go into a discussion upon an Amendment which he had agreed to accept.

Mr. MITCHELL HENRY rose, when——

The CHAIRMAN said, that if the hon. Member for Galway (Mr. Mitchell Henry) rose to continue the discussion upon the point he had raised, it was not within the Amendment and was irregular. The discussion of the Committee must be limited to the Amendment before them.

Mr. MITCHELL HENRY said, he would confine himself to the discussion of the Amendment before the Committee—namely, whether the Government was or was not to have a power to charge the cost of the police of its own option upon a particular locality. The point was, whether the Executive Government was or was not to have power to charge the cost of additional Constabulary upon the entire district or upon a portion of it. If they agreed to that they had a right to examine how that power had been exercised in the past, and he had been prepared to show that when the right hon. Gentleman opposite (Mr. J. Lowther) had the administration of a clause similar to the present one, the mode in which it was worked was exceedingly objectionable.

The CHAIRMAN said, he thought it was explained that that was done under a county rate, and not under a charge of this kind.

Mr. MITCHELL HENRY begged the right hon. Gentleman's pardon. It was not done under a county rate. He was going to show that the right hon. Gentleman opposite (Mr. J. Lowther) had forgotten all the circumstances, and had given an entirely erroneous account of them. It was not done under a county rate at all. [*Cries of* "Question!"] That was the Question.

Mr. J. LOWTHER said, he had only spoken from recollection, but the question really had nothing to do with the matter before the Committee.

Mr. M'COAN asked if there was any Question before the Committee at all? The Amendment had been proposed and accepted by the Government, and he should like to know whether there was really any matter for discussion before the Committee?

Mr. MITCHELL HENRY said, he would congratulate the hon. Member for Galway (Mr. T. P. O'Connor) on his anxiety to close the debate.

Mr. T. P. O'CONNOR said, the hon. Member for the County of Galway (Mr. Mitchell Henry) had grossly, and he might almost say intentionally, misrepresented what he had said. He was not anxious for the close of the debate, and he had been there on the discussion of every clause of the Bill, while the hon. Member opposite had been constantly away. Perhaps he (Mr. T. P. O'Connor) had taken an undue share in the discussion of the clauses of the Bill; but he certainly objected to the hon. Member for the County of Galway (Mr. Mitchell Henry) coming down there and attracting personal controversies into the matter.

Sir WILLIAM HARCOURT asked that the Committee should be allowed to conduct Business in a businesslike way. He protested against these interruptions. If any hon. Member had an objection to the Amendment, of course, he had a right to speak, but if not, let the Committee decide the question.

Mr. O'KELLY said, he rose to a point of Order.

The CHAIRMAN said, that the right hon. and learned Gentleman (Sir William Harcourt) was in possession of the Committee.

Sir WILLIAM HARCOURT said, that they had before them an Amendment to omit certain words from the clause. He had accepted that Amendment, but if anybody thought it was better to leave the words in he was entitled to address the Committee upon that point; but if he did not object to them, then let the Committee come to a decision at once. He did not understand that the hon. Member for Galway (Mr. T. P. O'Connor) wished to object to the omission of these words, because it was, in point of fact, his own proposition. If the hon. Member for the County of Galway (Mr. Mitchell Henry) objected, he could understand the course he was taking. If hon. Members desired to retain the words let the Question be put, but if not, let them get on with the discussion of the rest of the Bill.

Mr. MITCHELL HENRY said, he had no objection to the omission of these words. Reasons had been given from the other side of the House why they should be retained, and he thought it was necessary for him to show how similar words had been used which were contained in existing Acts. He knew the zeal of the right hon. Gentleman in charge of the Bill, and the wonderful patience he had displayed. He thought the Committee would see that in point of principle the omission of these words would make no difference at all, but would leave the clause exactly as it stood. He had pointed out that the clause of the Act of 1870 had been unfairly worked, and he hoped the Government would guard against a similar unfair working of it again.

Mr. W. HOLMS said, he rose for the purpose of referring to what had been said by the hon. Member for Galway opposite (Mr. T. P. O'Connor).

The CHAIRMAN asked if the hon. Gentleman was about to speak to the Amendment?

Mr. W. HOLMS replied that he was not.

Question put, and *negatived.*

Mr. REDMOND, in moving in page 7, line 40, to leave out the words—

> "And the Lord Lieutenant may exempt from charge any specified portion of an area declared to be chargeable, or any specified rateable property in any such area,"

said, that his object in moving this Amendment was to take away from the Lord Lieutenant the power of exempting certain districts from being chargeable to the amount levied upon the entire district. Of course, this Amendment raised to a considerable extent the same point they had already been discussing; but he thought it was very important that this power should be taken from the Lord Lieutenant. If it were vested in him it would be absolutely within his power to ruin any individual man he chose. He could order a payment to be levied upon a district, and he could then proceed to exempt one part of it after another until it was cut down to a single holding, or perhaps a single individual farm, or an individual man. By that means the Executive Government would be able absolutely to use this portion of the Bill as an engine of tyranny of the very worst kind. He begged to move the Amendment which stood in his name on the Paper.

Amendment proposed, in page 7, line 40, leave out from the word "order" to end of Clause.—(*Mr. Redmond.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir WILLIAM HARCOURT said, the proper time had now come for discussing the question of exemptions, and he wished to speak quite frankly upon it to hon. Gentlemen opposite. He could foresee that there might be instances—although he hoped they would be fewer than they had been—where additional Constabulary might be necessary, either in consequence of the perpetration of outrage and crime, or from a reasonable apprehension of such outrage and crime being about to be committed. It might be that the whole of the district might be regarded as responsible for the outrage and crime, and in that case the whole charge would fall upon the entire district; but it was quite easy to conceive another state of things —namely, that the provision of extra Constabulary was made necessary within the district by a portion of that district becoming, in point of fact, the aggressor upon another portion of the district; and the police might be wanted, not only to repress the promotion of crime and outrage in a portion of the district, but to defend the victims of outrage and crime in another portion of the district. Therefore, it would be the duty of the Government, while in the first place charging for the additional Constabulary they might send upon the whole district, to exempt that portion of the district who were not the promoters, but the victims of outrage and crime. That was the view of the Government of the working of this clause. It was necessary to reply to the suggestion that the Lord Lieutenant was likely to use the clause oppressively and vindictively for the purpose of ruining individuals.

Mr. REDMOND said, he had only stated that it might be so used.

Sir WILLIAM HARCOURT said, the suggestion that the Lord Lieutenant might, or would do it, was a suggestion which he did not think the Committee would entertain. It had been said over and over again that the Bill was founded on a necessity of placing confidence in the Executive of Ireland to administer it justly and fairly. He repudiated that if such a district as he had pointed out existed in which a portion was not the authors or promoters of crime, but the victims of crime and outrage, it was right and just that the police necessary for its protection should not be charged upon that particular portion of the district, but that the whole of the penalty or additional burden should fall on that portion of the district which was the author and the promoter of the crime. That was the spirit and the intention of this exemption, and he thought it was entirely consistent with the whole object of the clause. It was certainly one which the Government must retain. An hon. Member had asked him what was to be done with the residue of the charge which was remitted from the exempted districts? His view was clearly that the residue of the charge should fall upon the other parts of the district; and if the words were not clear enough to make that evident, they must be made so. At any rate, that was the intention of the Government. All the reasons which induced them to exempt a portion of the district in which the people were the sufferers and not the agents of crime would induce them to place the charge upon those on whom, in justice, it ought to fall.

Mr. DILLON said, he thought the Amendment was one of great importance. The right hon. and learned Gentleman who had charge of the Bill confined himself to pointing out that it might be desirable and necessary for the Government to exempt certain portions of a district which had been sufferers from the crime and not the aggressors; but he entirely passed over the question of the privilege being used in a manner that might be oppressive. The right hon. Gentleman on the Front Opposition Bench stated that it was not right to exempt individuals, because that would be against the spirit of the Act. The right hon. Gentleman then went on to say that power should be placed in the hands of the Lord Lieutenant to exempt individuals who were well known to be on the side of law and order. He had taken down the right hon. Gentleman's words at the time, and those were the very words the right hon. Gentleman used. Therefore, the right hon. Gentleman looked at this power as a power not to exempt districts, but individuals. They knew very well that that was the way in which the power had always been used in Ireland. It was not a question of exempting districts and areas, but of exempting individuals. When this power was brought into force, every magistrate's farm, every landlord's farm, every landlord's estate, and every individual who had placed himself at the disposal of Her Majesty's Government—they had the authority of the late Chief Secretary for saying—would be entirely exempted, because they had acted on the side of law and order, and were believed to be innocent in the opinion of the authorities; and the tax would, consequently, become neither more or less than a tremendous engine for ruining every man who had anything to do with the Land League. It placed an immense power in the hands of the local magistrate, because of necessity it would be upon the recommendation of the local magistrate that these exemptions would be put in force. The Home Secretary said that the police would be employed wherever crime and outrage occurred, or where there was reasonable apprehension that crime and outrage might occur. In view of these considerations, what did the clause amount to? It amounted to this and nothing else—that an engine would be placed in the hands of every local magistrate in a district by which he would be able to ruin every Land Leaguer in that district. Wherever there was a district in which a certain number of people had made themselves prominent on the side of the tenants, the landlords and the magistrates, who were generally landlords themselves, could by the operation of this clause financially ruin every Land Leaguer in the locality. The people of Ireland were being brought face to face now with a combination, which, whatever the Government might say to the contrary, was a combination for the purpose of exterminating the people of Ireland. He saw that Mr. Kavanagh was attempting to explain that away; but they all knew very well what it meant. This clause would be used to punish people who entered into a combination to save their homes, and that was all it was wanted for. Every man who belonged to the land combination of Ireland would be exempted — his farms would be exempted—while every man who belonged to any association for the defence of the Irish farmers would be taxed, and taxed heavily, under the clause. Taking the Home Secretary at his own words, the right hon. Gentleman said that the clause would be brought into operation in a district where there was any reasonable ground to suspect that crime and outrage might break out. How would that act? He would mention to the Committee a case which was brought under his own notice, which bore strictly upon the propriety of passing this Amendment. He knew a large and populous district where no crime or outrage had occurred for years; he did not think that a single case of outrage had taken place. There was a Resident Magistrate in charge of that district; but one of the Bashi-Bazouks in the shape of a special Resident Magistrate was let loose upon the district, and he at once took it into his head that the locality was threatened with crime and outrage. The Resident Magistrate in charge of the district remonstrated to the Castle authorities, and said there was no danger of crime or outrage at all, but that any influx of military and police would be likely to cause disturbance. The new Resident Magistrate, who lived 30 or 40 miles away, was not of this opinion, and his first exploit was to gallop into the town and order a number of children, who were playing airs with a fife and drum band, to be marched off to the Petty Sessions on a charge of obstructing the police. This man overrode the decision of the local Resident Magistrate, and he got the police and military poured into the district, notwithstanding that the Executive Government had the opinion of a responsible magistrate, who had lived in the district and had charge of it for two years, that this influx of police and military was likely to cause crime and disorder. What would be the result of passing this clause? The clause would be the means, under the representations of the local landlords, of placing a fearful penal tax upon the inhabitants of the district; and there could be no doubt in the world that in that way it would give rise to crime and outrage of every kind. The people would become savage, under the feeling that they had been attacked because they were peaceable. They would take a prejudiced view of the matter, and crime and outrage would inevitably result. His view and his fear was that the power of exemption was intended to be used for the purpose of exempting individuals who, to use the words of the late Chief Secretary for Ireland (Mr. J. Lowther), were known to be on the side of law and order, which he (Mr. Dillon) interpreted to mean were known to be friendly to the land combination of Ireland. Not only did he gather this from the statement of the late Chief Secretary for Ireland, but also from the remarks which fell from one of the right hon. and learned Members for the University of Dublin (Mr. Plunket), who was notoriously the mouthpiece of the Irish landlords. The right hon. and learned Member said that this would be a power to exempt persons who were well known to be on the side of law and order—that was to say, that every person who was known and believed not to be in sympathy with the Land League would be exempted from the operation of the tax, while every man who was in sympathy with the Land League would be made to pay for that sympathy. He thought it would be a cruel injustice to enable the Executive to tax, without any check, an individual in a particular locality; but it was by the knowledge that every individual who was known on the side of law and order, or, in other words, who had never been a Land Leaguer—it was by the knowledge that he would be exempted from the tax that the Bill was to be judged as offering a direct incentive to landlords and magistrates to be reckless in getting the service of this additional police force. They could well afford to employ an extra police force when they had the knowledge that the expense would not fall upon themselves, and that there would not be the slightest check to the reckless use of their power. If they were to have this clause—if they were to have an enormous force of constables to protect the landlords in the exercise of what they called their rights, they should, at all events, pay their fair share of the expense, and not throw the whole of it upon the poor people. If the power now contained in the clause were sanctioned by the Committee, he knew perfectly well that it would be exercised in order to exempt any lists of individuals which the landlord class would send up to the Lord Lieutenant. How could Lord Spencer know anything about the individuals who were well known to be on the side of law and order in the district? Probably the representations made to him would apply to a place which he had never seen in his life, and probably never would see. The Lord Lieutenant would be bound to take the list sent to him by the local magistrates, and he would exempt those whom the local magistrates directed him to exempt. The result would be that, whenever any opposition was afforded by the people to the operations of the new land combination, which looked to this Crime Bill for assistance in carrying out its objects, that district would be placed under the clause, and every man who protected the people who were placed under severe and stringent laws would be represented as a man opposed to the preservation of law and order, and would be taxed in the heaviest and most ruinous manner.

Mr. SYNAN said, that if the power was to be used against individuals in the manner pointed out by his hon. Friends on that side of the House, he was not surprised that they should give it every resistance in their power. If the Government were to use it only in the sense stated to the Committee by the Home Secretary, and no qualifying words were introduced in the clause, he should certainly join them in any opposition they were prepared to offer. He was sorry that the Home Secretary was not in his place, but in the presence of the Chief Secretary he would state what the law and practice of Ireland were in similar cases under the Grand Jury system. When presentments were made by the Grand Jury for outrages similar to those which would form the ground for sending additional constables into a district under the clause, they always excepted the land of the person upon whom the outrage was committed. If that were the object of this clause, why not introduce words into it specifying that in its operation the land of persons who were the victims of outrage would be exempted? That would take away all the power of the Bashi-Bazouks to whom his hon. Friend the Member for Tipperary (Mr. Dillon) had referred, of taxing certain individuals and exempting others; and unless some power of that kind was introduced, assimilating the operation of the clause to the general law of Ireland, his hon. Friends had a right to resist the adoption of the clause to the utmost, and to repeat that opposition on every opportunity. The Government had no justification for not qualifying the operation of the clause in the direction he had stated, and in the sense in which it had been commended to the Committee by the Home Secretary. He hoped the Chief Secretary would use the ingenuity of his hon. and learned Friends the Law Advisers of Ireland, to qualify the operation of the clause in the way in which the Home Secretary had stated to the Committee he was prepared to qualify it; and, in that case, he presumed that his hon. Friends would offer no opposition to it.

Colonel NOLAN said, he thought it was reasonable that the Lord Lieutenant should have power to exempt a particular portion of a district from the penalty imposed by the clause, when it could be shown that that part of the district had been affected by the outrage committed; but if the Lord Lieutenant was to have absolute power to exempt all persons who were on the side of law and order, it was absolutely necessary that some qualification should be inserted in the clause. Suppose a farmer came up to him and complained of the heavy burdens he had to bear in the shape of taxation, he should feel inclined to agree with him; but he should feel bound to point out that everybody else had to bear the burden. But in a case like this, which might arise under the operation of this clause, suppose he were asked who were those who were not on the side of law and order, he might find it very difficult to answer the question, and he knew that gross injustice might be done by leaving it in the power of the magistrates to say who were, and who were not, on the side of law and order. It would be the most odious revival of class privileges, and he therefore thought the Law Officers of the Crown ought to do something to qualify the operation of the clause. Some persons in Ireland, in defining who were on the side of law and order, might go as far as this. Perhaps one-third or two-thirds of the men of the landlord class, who would practically have the carrying out of this clause—the magistrates and the upper classes of the country—would say that those who supported the present Prime Minister were persons who were not on the side of law and order. Some of them would even use stronger words. Of course, the Lord Lieutenant and the Resident Magistrates of the official class would not be included in that category, and would be probably inclined to support a Liberal Administration; but the majority of the local magistrates were Conservative landlords, and they strongly objected to the policy of the present Ministry, and would certainly regard all those who supported the Prime Minister as being opposed to law and order. He hoped the Government would be content to insert in the clause some such qualification as that which had been suggested by the hon. Member for Limerick (Mr. Synan). As a general rule, the object of the Government could be effected by grouping together a number of townlands and constituting them the district which should be called upon to bear the extra cost. He did not think it was desirable to intrust to the Lord Lieutenant this arbitrary and dangerous power.

DR. COMMINS said, the reason given for the clause was that the Government had to deal with unknown persons who disturbed law and order in particular districts. But surely the Government did not mean that the hedge tramps, or people of that kind, disturbed law and order. The Preamble of the Bill said that the individuals aimed at as disturbing law and order were persons whose faces, and whose whereabouts, were unknown, and whom the Government could not convict or bring within the operation of the Criminal Law. He would like to know what the Government expected to do by this provision? They gave certain powers to the Lord Lieutenant, to be exercised according to his discretion, which might be applied to the ruin of particular districts or individuals—in short, the whole Bill was a Bill for enabling a conspiracy to be established in Dublin Castle against the people of Ireland at the instigation of persons who were concealed, and did their work in the dark. Did the Government suppose that if a certain district happened to have crime or outrage committed within it, and if it was the interest of "Captain Moonlight" to shift the murders, that he was not capable of crossing the boundary and escaping from the police into a district 15 or 20 miles away. These people were very light of foot, and could make their movements very much quicker than the preservers of law and order. So far from preventing crime, the clause would probably operate for the multiplication and distribution of crime throughout Ireland. Did the Government suppose, as the hon. Member for Tipperary (Mr. Dillon) had put it, that "Captain Moonlight" was such a disinterested individual that he would not have an equivalent for what he had to pay, by shifting his appointments to other districts? It would be much better to accept the Amendment than to give power to a person behind the scenes to work ruin by confiscation on a man that he desired to injure. The clause would offer an inducement to everyone who had a private grudge to satisfy to produce one of those threatening letters, or bring forward the case of cutting off the ear of a donkey, or any of those things which were magnified into outrages in that

House, and to refer the acts to some of these unknown persons, and the result would be both the multiplication of crimes and the extension of area. Some such restriction as that suggested by the hon. Member for Limerick (Mr. Synan) was, at any rate, necessary—namely, that if there were to be exemptions they should rest on such grounds as the public conscience would approve.

Mr. MITCHELL HENRY said, if the real meaning of the clause were adhered to he should be in favour of it. It was, of course, unjust that a man on whose farm a murder had been committed should have to pay for the additional police sent into the district; but it would be a complete straining of the meaning of the clause that every little area of property that he happened to hold elsewhere in the country should also be exempted. His objection to that effect being given to the clause was that it would give rise to a great amount of jobbery in this way. A person would go to the Castle at Dublin, have an interview with the Under Secretary, and tell him he must be exempted because he was a supporter of law and order. The thing had been done constantly, and he could conceive nothing more corrupt and abominable. He trusted the Government would agree to the simple proposal that only the property on which the injury was inflicted should be exempted, and if that were done he believed the clause would pass immediately.

Mr. MARUM said, he thought that the discussion which had taken place showed the soundness of his view that the Grand Jury should assess in these matters. As an instance of the advantage of that plan, he mentioned that the Peace Preservation Act gave power to levy compensation for maiming and other injuries, either on the district where the offence was committed, or on the whole county, at the discretion of the Grand Jury. A case having occurred in which the sum of £1,000 was awarded as compensation to a gentleman who lost an eye, the Grand Jury levied the amount upon the whole county, thereby showing a sound discretion in view of the large amount of the sum awarded. Therefore he contended that there should be representation for the taxation now proposed, even if it were faulty, and he considered this view was justified by the observations of hon. Members who had taken part in the present discussion.

Mr. T. D. SULLIVAN said, he hoped the Committee would understand that if this power of exempting certain portions of districts were left in the Bill, it would enable the Lord Lieutenant to bring down the whole penalty inflicted by the clause with the crushing effect of a Nasmyth hammer upon a small area. He might so work it as to bring ruin upon a couple of families or upon a single individual. And who would these persons probably be? They would be persons who, by their public spirit and action, had rendered themselves obnoxious to the local landlords. There were in every district in Ireland, happily, some families and individuals who were active in public affairs, and who took a strong interest in national politics. These men were detested by the local magnates and magistrates, whose anxious desire was to clear them off the district in which they lived. This Bill, then, provided them with the means whereby they could accomplish their darling object. An hon. Member had said that the men who had supported the present Government might be punished by the agency of this measure, and he had no doubt that the men who made themselves prominent in Ireland in securing the return of Members of that House who represented the views entertained on those Benches would be made to feel it. Another important objection to the clause, and also an argument in favour of the Amendment to limit its stringency, was that, inasmuch as it imposed new pecuniary burdens on the people, it would go far to undo the good effects which might have resulted in Ireland from the Land Act of last year. Because, what was the use of enabling the poor tenant farmers in Ireland to get their rents reduced to a fair level if the Government proceeded to impose upon them the heavy taxation which the Act allowed? It was of no use to fix moderate judicial rents if the balance was to be made up again to the old rack-renting standard, by the agency of this measure, and the same might be said with regard to the proposed legislation on arrears of rent in Ireland. Let the Committee remember that the burden of this expense would fall on the poorest districts in Ireland, because it was a well-known fact that where poverty was greatest disturbance was also greatest. In those poor rack-rented districts there was both discontent and disturbance, and yet it was upon them that the Government were about to lay the taxation proposed in this measure. He could see no chance of the people being able to stand under it—on the contrary, there seemed to him to be nothing in prospect for them but eviction and ruin ; and the result would be simply to assist Mr. Kavanagh, who to-day renewed in Ireland the treason of his ancestor, Demod Mac Murrough, against the Irish people. The argument of the Government, that the clause would operate as a punishment to the district, appeared to him a very strange one, because that punishment would undoubtedly fall upon the innocent and guilty alike. The Government would not be able to lay their hands on the perpetrators of outrages in Ireland by means of this clause; nevertheless, the people who had no hand in those outrages would be compelled to pay the fine levied on account of them. But they were told that sympathy existed within the districts with the people who committed the crimes there. He would not deny that there might be some sympathizers with certain forms of crime in Ireland, which, in the popular mind, amounted to acts of vengeance on the oppressors of the people; but, if that were so, he asked where would the Government draw the line? If they levied the tax upon a portion of the district, how could they be sure that this sympathy with crime did not extend to the whole district? It would not be easy for the Government to map out the districts in which sympathy with such crime existed, and say it went so far, and no farther. [Sir WILLIAM HARCOURT: Hear, hear!] The Home Secretary cheered that remark—then why did he not carry out the idea which it contained, and make this tax universal?

THE CHAIRMAN said, he must point out that the hon. Member was speaking to the clause, and not to the Amendment before the Committee, which was that when a district had been brought under the clause the Lord Lieutenant should have power to exempt a specified portion of the area of that district.

MR. T. D. SULLIVAN said, he was endeavouring to bring down his observations to that point. The imposition of this tax, although it might pauperize the people, would not produce the effect which the right hon. Gentleman admitted he had in view. This clause would not produce the individuals who committed crime in Ireland, nor would it diminish the prevalence of that crime. It would rather tend in the opposite direction, because it must extend and make universal the sympathy which existed with certain forms of agrarian crime. It always happened that a revulsion in the public mind followed tyrannical action of this kind on the part of a Government. As he had said before, the small tenantry of Ireland were poor enough, and their poverty was the cause of all the trouble in Ireland and in that House. That was universally admitted; and yet the Government came forward with this brutal legislation to make them still poorer than they were, and said it would have the good effect of preventing crime, and punishing it when it occurred. He challenged that assertion altogether. He repeated that the effect would be to pauperize the people, but to do them no good whatever.

THE CHAIRMAN said, the hon. Member was still continuing to discuss the whole clause, and not the Amendment before the Committee.

MR. T. D. SULLIVAN said, he was arguing that the imposition of this taxation upon a limited area would produce bad effects.

THE CHAIRMAN pointed out that the question of the district had already been settled. The Question before the Committee was as to whether the Lord Lieutenant should be empowered to take any specified portion of the area out of the operation of the clause.

MR. T. D. SULLIVAN said, he was arguing that no such power ought to be left to the Lord Lieutenant, because under the last part of the clause he would be enabled to bring down the whole force of this fine upon a small area, and so crush particular families and individuals upon the advice of the local magistrates and policemen. He argued that it would be more just to extend the area to the whole country, because all the trouble existing in Ireland was the result of British misrule.

MR. JUSTIN M'CARTHY said, he hoped the Government would state whether they meant to keep the clause as it stood or carry out what he supposed to be the understanding arrived at last night. The impression last night was that the difference between the Government and hon. Members on those Benches was only as to terms; but it was now clear that the Government had entirely changed their position. The right hon. and learned Gentleman told the Committee that the Government desired to have the power of taxing certain disloyal places, and, of course, of exempting certain places on the side of law and order. Well, that was distinctly a tax such as might be imposed by an army of invasion in a foreign country—a tax which punished by a money fine one set of persons supposed to be against you, and rewarded another set of persons whom you believed to be in your favour. That was the meaning of the clause as expressed by the hon. Gentleman, and in that sense the clause would be used in Ireland. It was all very well to say that Lord Spencer was not the man to do any injustice. But the clause began by saying that the extra police were to be sent to a district—

> "When it appears to the Lord Lieutenant from time to time that by reason of the existence or apprehension of crime and outrage in any district, the numbers of constabulary ordinarily employed there are not sufficient;"

and, therefore, some one of the local magistrates or landlords had only to say that he was afraid there were going to be outrages in the district, and the police force would be increased, and this tax imposed on all persons believed by any local authority not to be in favour of law and order. Now, nothing could be more dangerous than such a principle; which would not convert disloyal into loyal persons, but which would very easily convert those who were loyally inclined to disloyalty.

Mr. P. MARTIN said, it seemed to him that the Amendment before the Committee was right and just. If an arbitrary power to exempt certain areas was given in the wide and general terms proposed by the clause in the Bill, it might, if enforced, inflict great hardship and injustice on tenant farmers. As the clause stood at present, at his own will and discretion, and without any opportunity for those so taxed to challenge his decision, the Lord Lieutenant might impose on the residents, within a very limited area, a charge so heavy that it would be worse than the rack-rents hitherto imposed upon them. It would be impossible for the poor people who lived there to pay it, and the result would be that all their goods and implements of husbandry would be sold. It was well known that under the old law the tax for extra police amounted, in many instances, to 8*s*. and 9*s*. in the pound. How, he asked, was a tenant paying, perhaps, £5 or £6 a-year rent, to pay this crushing tax? He trusted the Government would not answer by the old and oft-repeated argument that the present Lord Lieutenant would not make an unjust use of the powers of this clause. He was happy to say that the evidence of the Lord Lieutenant himself was against this power being conferred upon him. In a very strong speech which the noble Lord delivered in the House of Lords last year, he alluded to the principle of exempting these limited areas in contradistinction to the country at large.

The CHAIRMAN said, it was not a question of district that the Committee had before them, but as to whether the Lord Lieutenant should be empowered to exempt a specified area in the district.

Mr. P. MARTIN said he was about to contend that Lord Spencer's objection to the principle of taxing a district applied with much greater force now than when the question was one of exempting portions of districts. Under the old law it was the district which was exempted; under this Bill it was a particular property or a particular area in the district which might be exempted from this tax, the remainder of the tax being in consequence thrown with crushing weight upon the rest of the district. If, according to the speech of Lord Spencer, on the 6th of January, the tax should be equally distributed over the country, how much more ought the Committee to refuse to say that the entire tax should be imposed on one townland, which would give rise to evictions worse than those of the present time which the Government described as appalling?

Colonel BARNE said, he hoped the Government would not give way on this point of the clause. He considered the clause as one of the most valuable in the Bill, and he believed its provisions would have more effect in putting a stop to crime in Ireland than any others which were proposed. By this clause an appeal was made to the pockets of the people of Ireland, who, like the English, were very much affected by appeals of the kind. The hon. Member for Tipperary (Mr. Dillon) said that it would affect the Land Leaguers, and that it was aimed at outrages. The hon. Member, therefore, placed the Land League and outrages in the same category. [MR. DILLON: I said nothing of the kind.] He had certainly understood the hon. Member to say that the Land Leaguers were the men who would have to pay this fine; but if he had not said so, he, of course, withdrew the observation made. Then the hon. Member who had just addressed the Committee said the fine would not make men loyal. That might be admitted; but when a large force of police was sent to a district, and the disloyal persons there were made to pay for it, those persons would probably endeavour to get rid of the police by keeping the district quiet. It was perfectly well known that the disloyal men in Ireland were able to stop these outrages, and he maintained that the imposition of a fine was the best way to make them do so. One hon. Gentleman had argued that both the loyal and the disloyal inhabitants of the district ought to be made to pay the tax; but could there be a greater absurdity? On such a principle as that, a man who had been shot at would have to contribute towards the penalty imposed for the act of shooting at himself. He hoped the Government would adhere to the view they had stated to the Committee.

MR. TREVELYAN said, in justice to the hon. Member for Tipperary (Mr. Dillon), he must express his opinion that the hon. Gentleman's meaning had been misunderstood by the hon. and gallant Member who had just addressed the Committee. The hon. Member for Tipperary was at the time arguing strongly on the clause, and he said that under certain circumstances it might be worked against the Land League; he was endeavouring to show with perfect legitimacy that the clause might be used for political purposes, and that the area might be so reduced as to include within it only people who were connected with the Land League. The hon. Member said if you gave the Lord Lieutenant power to exempt certain areas, those areas, being coincident with property in the occupation of certain of the wealthier classes, you would be creating an incentive to those classes to have this charge imposed. Now, the Government had steadily resisted every Amendment which would have given to the wealthy classes the power of initiating any movement in connection with this Act, and they were determined to allow the initiative in this matter to be in no sense a matter of recommendation on the part of any private individual in the district. On this matter the Government did not intend to yield to the wishes, prejudices, or apprehensions of any classes or individuals. The hon. Member then went on to say that if this serious tax were imposed on a limited portion of the district it would have a tendency to make the people become savage from a sense of injustice. Now, the experience of this species of legislation in the past was that it had not rendered them savage, but that it had quickly repressed crime, and accustomed the people to a better state of things. The general effect of the information he had obtained was that taxes of this kind had had a good effect in the prevention of outrage, and the restoration of tranquillity in disturbed districts. Even when this tax could not be levied on a special district, the tradition with regard to it was so strong that in one case the mere erection of a police hut in the district, and the expense which it was supposed could be levied, had had the effect of checking outrage. And so, with regard to this power, he believed there were people in Ireland who, when they got the protection which it was calculated to afford, would regard it with far from hostile feelings. Take the case of the poor girl that occurred the other day. He could not believe that the people in whose midst that crime was committed, and who were liable to further outrages, would not prefer to pay an increased amount of taxation, even if there were exemptions by order of the Lord Lieutenant, which further increased their liability to payment, in order to be protected from such outrages. Moreover, he was of opinion that if the district were thoroughly freed from outrages for a certain period, the inhabitants would become so delighted with their new sense of security, that no better means than this tax could be devised for bringing back the whole district into the ways of peace. But it was argued that this power of exempting portions of a district from the tax was too great to be put into the hands of the Lord Lieutenant, although, whenever that question was mooted, the hon. Member, who happened to be speaking generally, said that if the Lord Lieutenant or himself (Mr. Trevelyan) were to undertake the duty of going down to the district concerned and ascertaining who were to be exempted, he would be quite disposed to trust to them. Now, in arguing in that manner, hon. Members were striking at the root of all administrative government whatsoever, because what was the position of the Lord Lieutenant? He was at the head of an enormous hierarchy of officials of all sorts ["Hear, hear!"] Hon. Members opposite cheered that remark; but if you had to keep a country in the paths of law and order, you must have all sorts of officials; and, therefore, if you said that, no matter what was the personal character and ability of the man at the head of that great hierarchy, you could not trust his exercise of such a power as this, you struck at the root of all civilized government. The hon. Member for Tipperary (Mr. Dillon) said, that these exemptions would be made on the advice of one of those Bashi-Bazouks, who were now let loose in certain districts in the shape of special magistrates. He thought that a statement of that kind, coming as it did from an hon. Member having so great an experience of the effect which such statements were likely to produce, was much to be regretted. For his own part, he was always very sorry when one of those sentences escaped the lips of the hon. Member for Tipperary, which were not only unjust in themselves, but tended to damage the confidence which the Irish people ought to have in the Executive Government. It was quite true that the Lord Lieutenant must depend on the officers of the district in order to know whether exemption should be made with regard to any portion of it; but the Lord Lieutenant, if he were capable of discharging the duties of his Office, would choose his instruments with a due regard to the amount of confidence to be placed in them; he would distinguish between the sorts of information given to him, and if he were not satisfied he would obtain further information. If, under these circumstances, it was contended that Ireland would not be properly governed, he said upon that contention that no country could be governed according to the principles of civilization. But hon. Members also said that Grand Juries in the old days had exempted men of their own political opinions and of their own class; and, therefore, they thought that the Lord Lieutenant would, although unwittingly, act in a similar manner. On that point he would only express his own opinion, and what he believed to be the opinion of the great majority of persons who had regarded the matter with attention—namely, that since what might be called the bad days in Ireland, there had been an improvement in every branch of the Public Service. Since those days public opinion had been brought to bear on it in a manner which had now rendered such acts of partiality and oppression as were committed 90, 60, or even 30 years ago, absolutely impossible. With regard to the exemptions, he was not willing to enter into details further than to say that Clause 16 was directed against the grosser forms of crime, such as murder, and in cases of that kind there would be what might be called a natural exception to exemption, for the amount of compensation would be so large that it would matter very little to the people who should receive it, whether they were called upon to pay their quota or not. There would be another natural exemption under Clause 15, which was directed against general intimidation and a general state of disturbance in a district which acted to the great detriment of individuals by driving tenants off their lands, and causing rents to be withheld. He could quite imagine the Lord Lieutenant wishing that a man who had all his tenants driven off his land should be exempted from the tax. With regard to the question whether the Lord Lieutenant would use the clause for the purpose of favouring any particular political Party, or doing anything even more odious than that, such as ruining an individual under the pretext of exemption, he could only give the suggestion an indignant denial. More he could not say. The clause had been introduced for the purpose of bringing, as far as possible, the people in disturbed districts back into the ways of peace and quiet, by means of general punishment for the general protection; and the Lord Lieutenant, he felt sure, would see, after this punishment had been imposed, and had done its work, that it ceased to operate at the earliest possible date.

MR. SEXTON said, it was, of course, a just reflection upon the speech of the right hon. Gentleman the Chief Secretary for Ireland that, although he rose to oppose an Amendment which declared property should not be exempted from this taxation, one might study closely every word of the Bill and not find a single argument in favour of the exemption proposed in the last sentence of the clause. The right hon. Gentleman had said the art of government in Ireland had considerably improved; but the question for him (Mr. Sexton) and his hon. Friends, in looking forward to the future of the Irish people, was not whether government in Ireland now, as compared with government in the past, had been improved, but whether the Government still stood in need of improvement, and how much it stood in need of, and how they could bring an improvement about. He always listened to a speech from the right hon. Gentleman the Chief Secretary with a sincere desire to perceive and to welcome in it any recognition of the rights of the people. The Chief Secretary for Ireland blamed the hon. Member for Tipperary (Mr. Dillon) for applying the term "Bashi-Bazouk" to some of the Superintendent Resident Magistrates, and the right hon. Gentleman talked in a strain of extraordinary want of knowledge of the subject when he spoke of the great confidence the people of Ireland ought to have in the Superintendent Special Magistrates. It was perfectly absurd to talk of such confidence. The right hon. Gentleman must be aware that one of those "Bashi-Bazouks" was Mr. Clifford Lloyd, and that the Resident Magistrates of Limerick and Clare had actually gone to Dublin Castle to protest against his appointment, or against his continuing any longer amongst them. If the course of Mr. Clifford Lloyd was such that even his own subordinates could not have confidence in him, upon what ground could it be contended that the people of Ireland, over whom he was sent as a slave-driver and as a tyrant, could have any confidence in him? He (Mr. Sexton) greatly regretted that the right hon. Gentleman, in referring to the past effect of legislation, such as that contained in the present clause, did not for a moment apply himself in a spirit of exact inquiry of the past effect of such legislation. The right hon. Gentleman had all the records of Dublin Castle at his disposal. He could search all the police reports for many years past. He could have recourse to all the Papers connected with this and every branch of the Administration; and if it were a fact, as the right hon. Gentleman would lead the Committee to infer, that legislation of this kind had in the past led to the suppression of crime and to the restoration of peace and tranquillity in a district where such legislation had been put in force, he wanted to know why the right hon. Gentleman did not go beyond the region of generality and adduce some facts in support of his contention? What would have been easier than for the right hon. Gentleman to have cited the case of a district which in past years had been subjected to an impost of this character, and what would have been easier for him to have shown, if he could, that the impost of this police tax upon any particular district was accompanied by a decrease in crime? When, however, the Representative of the Government stood up in that House and said that this legislation had produced good in the past, but distinctly forbore from giving the Committee any argument, the Committee were entitled to assume that such legislation had never at any time been successful. The right hon. Gentleman dwelt for a moment on the personal character of Lord Spencer. These persistent references to the personal character of Lord Spencer must be regarded as nothing short of a minor species of mental aberration. The Committee were led to believe that Lord Spencer would not and could not do anything which was tyrannical or unjust; but what security had they that Lord Spencer would actually be at Dublin Castle next year? Viceroys, like other men, were subjected to the ordinary instability of human life; and not only so, but they were subject to a second liability—namely, the ordinary instability of the Government. He hoped Lord Spencer's service might be long exercised in the public field of English politics, because, as an Englishman, he was a very patriotic man. Suppose, however, that this Government were thrown out either this year or next—and such a thing was not impossible—they would have probably a very different man as Viceroy of Ireland. He hoped, therefore, that, once and for all, they would have done with those references to the personal character of Lord Spencer. The general tendency now was to expect that this Coercion Bill—this *mitrailleuse* of repression—which had been carefully advised by all the Law Officers of the Crown, would speedily pass out of the hands of the present Administration into the hands of the Administration at present represented on the Front Opposition Bench by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket). A Tory Administration would probably find a Coercion Bill ready for their hands, and he would compliment them upon the skill and success which had accompanied their efforts to support the Liberal Party in that House in passing this Bill. If the Committee were to consider properly what the Amendment proposed, they might consider for a moment what was the theory upon which this police tax was based. The theory was an absurd one—it was this, that residence in the vicinity of the place where crime had been committed necessarily implied guilty knowledge of such crime. Anyone with the slightest knowledge of Ireland knew that such a contention was absurd. Last night he mentioned that in a certain townland 11 poor families were placed under the ruinous tax of £100 for police, simply because, as it afterwards turned out, a man had come from 11 miles away, and while in the townland had distinguished himself by biting off a bailiff's ear. The Government flew to the conclusion that the people of this townland knew all about the offence, and, therefore, called upon each family to pay £9. There was also the case of Mrs. Lea, who owned property in King's County, but who lived at Rathgar. Two men came up from her property at King's County and murdered her at her home. Now, the operation of this clause would simply be this—that the people of Rathgar, a Conservative suburb of Dublin, inhabited chiefly by Castle officials and half-pay officers, would have to pay a tax for the murder of this woman, simply because those men came up from the King's County and committed the crime. Suppose he admitted that the theory was a sound one; suppose he said that residence in a district implied a guilty knowledge of crime, why, then, should not a tax levied in pursuance of that theory be levied equally upon every one of the residents in the district? Why should one section of the people be thought to have a guilty knowledge and another section to have no such knowledge? It followed, with all the force of genealogical corollary, that everyone should be equally liable, and that the tax should be levied on all, or upon none. He would point to one or two grave results that would follow if this exemption was carried out. They all knew that the Lord Lieutenant had power to send as many police as he liked to a district, and charge them on as few people in the district as he liked; he might even charge them on one house if he liked to do so. He (Mr. Sexton) wished the Committee to take this into their consideration. The tenant farmers of Ireland had lately passed through a period of famine and a time of distress, and if they were subject to a crushing impost for the maintenance of extra police, and if they saw a landlord, or an agent, or a bailiff, or a rent-warner, or any other man in the district, singled out by the Executive for exemption from this tax while they were subjected to it, and, possibly, ruined by it, what would be the first effect on their minds? The effect would be a feeling of resentment and exasperation. He knew pretty well how it would work. If the poor people of Ireland found that they were to be beggared and ruined by the payment for extra police, while some prosperous landlord, or agent, or bailiff, was exempt from the operation of the tax, the immediate effect would be that the people would say that the exempted man had procured the imposition of the tax. The people would say that these men knew what they were about, and that they had used their influence at Dublin Castle to get the Lord Lieutenant to impose the tax and exempt them. The immediate effect would be quite contrary to the one in the minds of the Government, which he took to be the restoration of peace and tranquillity in Ireland. He could not imagine any other result than that there would be violence, certainly dangerous to the public peace. The second effect would be to stimulate evictions, He supposed the Prime Minister would admit that the new organization of landlords was an organization for stimulating evictions. What would be the effect of this clause? The effect would be that the people whose pockets had been emptied for the payment of rack-rents to landlords—for rack-rents would be imposed for years to come, inasmuch as the people would be unable to get their cases heard in the Land Court—would find themselves subject to a second payment to the State. It was not enough that the people should be beggared by the territorial class; but they were to find themselves subject to a tax for extra police. When the next gale-day came round it would be found that the money they might have had to satisfy the demands of the landlord had gone to satisfy the demands of the State. The landlord would thereupon proceed to evict. He thought he had shown pretty plainly that the State, by plundering the tenant, would render them unable to pay their rents, and that the State would be responsible morally, and if it were possible for the State to be criminally responsible, it would be criminally responsible also for the severance of many poor Irish people from their homes. There was another consequence, and it was this—the Government must be aware that the landlord had the first claim, that the laws of this country had secured to the landlord priority of claim upon the produce of the tenant. The landlord had several methods of recovering his rent, and the Government could not come in for this tax before the landlord had got his rent. Now, one effect of the recent movement in Ireland had been to drive home to the people a sense of the moral justification of refusing to pay debts which they thought were unjustly demanded. Suppose the people in any district applied that principle to this tax; suppose the few shillings they had left were only enough to get food for themselves and families, and thus satisfy the first obligation of man; suppose they said, "We won't pay this tax," and it was quite possible that many in a district would say so, the State had no legal power to turn out the people like the landlords had; but they would, no doubt, collect this iniquitous tax at the point of the bayonets of their soldiers and police. He thought he had shown two serious consequences which might follow from this proceeding, and he had now pointed out a third. A Tory Government might face such difficulty with equanimity; but he could not think that a Liberal Government could, and he would recommend the Government to reconsider this clause, especially as the Chief Secretary for Ireland, though he had lately referred to the past benefits of such legislation, had not given a single instance in which this legislation had proved successful.

Mr. R. POWER said, he was very sorry the Government had not seen their way to modify this clause in some way or other. The more he looked at the clause the more he was convinced it would very materially help to stimulate evictions in Ireland. He was also convinced that it would tend to pauperize the people. It had been calculated that every extra policeman placed in a district in Ireland cost £35 a-year. It might, to a certain extent, find out the guilty, but he thought it was far more likely to punish a great number of innocent people who had nothing at all to do with crime in the district. The Chief Secretary for Ireland said that the Lord Lieutenant intended to select those under him whom he could trust to carry out this clause. But the Lord Lieutenant did not select them at all; he simply took them as he found them. He simply took the officers under the late Lord Lieutenant and the Lord Lieutenant before him, and the present Lord Lieutenant got his information just in the same way as his Predecessor got it. The Chief Secretary for Ireland also said that he did not intend to leave the initiative with the magistrates in a local district. He (Mr. R. Power) was very glad to hear this, because he was afraid that if the local magistrates had that immense power they would in a great many cases abuse it. Local magistrates in Ireland, for one reason or another, had not got the confidence of the people; and it would be unwise if, under this clause, local magistrates were allowed to take the initiative in these proceedings. A great deal of discontent and angry feeling would be excited in the country. A most extraordinary statement was made by the Chief Secretary for Ireland, a statement which he (Mr. R. Power) was very sorry indeed to hear him make; because it must be admitted that the right hon.

Gentleman was a very favourable contrast indeed to his Predecessor; and, as far as he and his hon. Friends were concerned, they were anxious to show very fair play towards the right hon. Gentleman, and not in any way endeavour to embarrass or harass him in his Office. The right hon. Gentleman, however, had said that this system of police taxation had succeeded in the past, and that it had helped in a very great degree towards the detection of crime, and towards making disturbed and disloyal districts become peaceful and prosperous. Now, he was afraid the right hon. Gentleman did not look into statistics on that point. If he had done so he would find that it had had an exactly reverse effect, and that the police tax had not brought peace and quietness to a district, and had not succeeded in the detection of crime, but that it had, on the contrary, a most disturbing influence wherever it had been applied. He would invite the Committee to read the evidence of Captain Talbot—a gentleman who was certainly not very friendly, or supposed to be friendly, towards the Irish people — given before a Select Committee of that House. Captain Talbot was asked what was his opinion of the working of this tax, and he said—

> "I am sorry to say that it has totally failed to do any good, in my opinion."

In what had it failed Captain Talbot was asked, and his answer was—

> "It has failed in producing evidence, in stopping crime, and the only good I know it does is this—it enables you to have a larger body of police at your disposal for patrol and other police duties."

In answer to another question Captain Talbot said—

> "Certainly, it acts as a punishment. Many of the inhabitants have to pay very heavily, but it is a punishment which falls perhaps more severely upon those who are innocent than upon those who are guilty. It does not touch the guilty at all, because they are not able to pay; the guilty are generally servants, boys, or persons brought from a neighbouring county."

Another magistrate was also examined by the Select Committee, and he gave as his opinion that this tax pressed most unequally on the community. He (Mr. R. Power) could quote plenty of evidence tending in a like direction, but he did not wish to detain the Committee any longer. He would, however, ask what was the use of appointing Select Committees to inquire into the state of Ireland if evidence such as that he had just quoted was altogether disregarded?

Colonel COLTHURST said, the evidence which had just been read to the Committee by the hon. Member (Mr. R. Power) was all the more important when it was recollected that Captain Talbot was at present Chief Commissioner of Police in Dublin, and was, no doubt, a very competent authority upon the subject. Notwithstanding such evidence, if he (Colonel Colthurst) believed that this clause or this police tax would be effectual, either in preventing or in detecting crime when committed, he would support it, notwithstanding the injustice which it was certain to inflict upon individuals. They had had experience during the last six years of a similar tax, and it had neither been effectual in detecting nor in preventing crime. If he believed the observation of the hon. Member for the City of Cork (Mr. Parnell) that outrages were committed by the sons of small farmers to intimidate others from paying their rent, he should say that such a clause as this, and such power as was sought to be conferred by this clause, would perhaps be effectual in preventing outrages being committed. But he had previously said that such an observation was a libel upon the people of Ireland—at any rate, upon his constituents. Believing as he did that outrages were committed in Ireland by the agents of secret organizations, by men who were paid to commit outrages, by men who were supported in prison when arrested on account of their crime, he failed to see the justice of inflicting a heavy pecuniary fine, which must amount to ruin in certain cases, upon a certain number of small and poor occupiers in a locality. He did not deny that in certain localities there was sympathy with crime; but, taking the country as a whole, he was certainly inclined to make such a denial. He admitted that there was terror in the country, and that that terror was so great that it would neutralize any possible effect that the clause would have. Life was dearer to people than money; and people would not give evidence, and thus subject themselves to the foul deeds of secret organizations. No one in Ireland knew whether he was or was not condemned by one or other of those secret societies; and he (Colonel Colthurst) hoped this Bill would get at the root of the evil by making the people reflect that if they intimidated the poor people they would be liable to six months' imprisonment with hard labour. It was to the Intimidation Clauses that he looked for a remedy of the present evils of Ireland; and, therefore, he felt bound to oppose in every way those subsequent clauses.

THE CHAIRMAN: Before the Committee proceeds, I must point out that the discussion for some time has not been upon the Amendment, but upon the clause itself.

MR. O'SHAUGHNESSY said, he would endeavour to confine himself to the Amendment before the Committee, which he understood to be that the Lord Lieutenant should be deprived of powers conferred upon him by the clause of exempting certain individuals from the charge for extra police. He strongly supported that Amendment; and he supported it for the following reasons. The Chief Secretary for Ireland pointed out that Irish Members were fond of saying that if the Bill were left to the administration of the Lord Lieutenant or Chief Secretary for Ireland they would have some confidence in its administration. What Irish Members objected to was that the administration, practically, in such a matter as this, was left, not merely in the hands of the Lord Lieutenant or Chief Secretary for Ireland, but in the hands of subordinates. Without at all for one moment using strong language about the subordinates who might have to advise the authorities with regard to carrying out the provision contained in this section, he was bound to say that the fact of so important a matter as this being left in the hands of subordinates was, to his mind, one of the great reasons for the adoption of the Amendment. The Chief Secretary for Ireland had said that the Government had done their best not to leave the initiation of anything in the hands of any particular class of the community; but, unfortunately, by the appointments which had been made, and in consequence of the class of men who would administer this law in some of the disturbed districts, it was distinctly class legislation which was to be dreaded. He would not use strong language about Mr. Clifford Lloyd, but he was the man who had been applied to under circumstances which had led to the proclamation of the city of Limerick, and to the imposition upon it of a much larger police force than usual. By the fact that the administration laid in the hands of such gentlemen as this proved it was practically class administration, because those gentlemen were taken from one class—from one extreme section of the people—from the landlord class, with whom their sympathies ran. What was the result of giving such power as this to the Lord Lieutenant, when the Lord Lieutenant was to exercise his power upon the advice of such men? The result was that there must be a tendency to lean to the section of thought and tradition to which such men as Mr. Clifford Lloyd belonged. Suppose a person belonging to the landlord class was, at one and the same time, an owner and occupier—and that was a very common thing in the constituency to which he (Mr. O'Shaughnessy) belonged—there would be a tendency to exempt him from the operation of this clause. He would not now go into the question of justice or propriety or tact of Mr. Clifford Lloyd, but he would say there must be a constant tendency on the part of that gentleman to endeavour to get exemption for the landlord class. Under this clause there would be the greatest possible room for jobbery. The Chief Secretary had said it was desirable that loyal people should be exempted. Let them see how this applied. It was well understood that the persons whom it was proposed to tax under this clause were the tenants, and not the landlords. Everyone knew that, for many months past, the classes who had been attacked, the classes who had been made the victims of outrage, were the very tenants who had paid their rent, and had respected law and order; and it was these very people whom it was now proposed to tax under this clause. He thought that if the Amendment were accepted the Lord Lieutenant would be relieved from a dangerous and very delicate responsibility. The power conferred by the clause could not fail to be abused; it could not fail, at the very least, to create jealousy; and, therefore, he hoped the Government would accept the Amendment before the Committee.

Mr. LEAMY said, that a short time ago the Chief Secretary for Ireland referred to a statement made by the hon. Member for Tipperary (Mr. Dillon) to the effect that this Bill would be used for the purpose of punishing political opponents in Ireland, and the right hon. Gentleman said he would deal with that question. He sat down, however, without making any further reference to it. He (Mr. Leamy) thought he could show that there was very great danger of this Bill being used for political purposes. The Chief Secretary for Ireland could not understand that the Bill would be used unjustly by Lord Spencer; but the Chief Secretary for Ireland at once pointed out that Lord Spencer would simply be in the hands of the officers of the different districts, and that the Lord Lieutenant would have to depend upon those officers as to whether or not a particular district should be exempted from the operation of this Act. Let the Committee bear in mind that the Lord Lieutenant had the power to impose extra police upon any district in which there was an apprehension of crime. It was known very well that this apprehension of crime would arise in the mind of the Lord Lieutenant, or in the minds of the officers who reported to him, from statements made to one or other of them by the local police or the local magistracy, and the Committee had been told that the Lord Lieutenant would so exercise the power of exemption as to free what was called the loyal classes, or the well-affected classes, of a district from the burden of paying this tax. It was also very well known that during the last two years, or during the Land League agitation, the people of Ireland had practically been divided into two classes—namely, those who were for the Land League and those who were against it. It had been said recently that all men who were against the Land League were on the side of law and order, while all those who were favourable to the Land League were opposed to law and order. It would, therefore, be the people who sympathized with the Land League who would have to pay this police tax, while those who had always shown themselves enemies of the Land League would be considered well-affected classes, and would be exempted from the payment of the tax. Now, this power of throwing a police tax upon every small district would become all the more serious, when it was borne in mind that by the very next section the Lord Lieutenant would also have power to throw on a very small district the burden of compensation. For instance, in a district where a murder had been committed the Lord Lieutenant would have power to levy compensation for that murder; he would have power to make the very poorest people in a district pay for murder or any other injury done in the district, and at the same time have power to send down an extra body of police, whose expenses could be charged to the district. There would, therefore, be a double charge upon the district, and everybody must know that the result of such great charges as these would be to cripple the resources of many unfortunate tenants. It would be very much more honest of the Government to declare at once that everyone belonging to the Land League would have to bear this exceptional burden, and that any man who was not a Land Leaguer would be free from it. When it was borne in mind that the Lord Lieutenant would have power, if this tax were not paid by the people on whom it was levied, to send down men to seize the goods and chattels of the people, it would be seen it would be positively within the power of the Lord Lieutenant to ruin the people of a district. The Irish Members knew how such power had been used before. An hon. and gallant Gentleman, speaking a short time ago, thought this was a very good clause, because its probable effect would be to induce the people of a district to keep the district peaceable and quiet, so that an extra police force should not be sent there. That might be very well if police were only to be sent whenever crime was committed; but it must be remembered that police could be sent if crime was only apprehended. How did this apprehension come about? Why, it came about by statements that were made by people of the district, and consequently if there were a number of men in a district who were opposed to the Land League, and who knew that because of that they would always be looked upon as friends of law and order, and would therefore be exempted from the tax, they would, under this section, make a statement to the Lord Lieutenant or the Resident Magistrate that they apprehended that crime would take place. It would thus be seen that a very small class in any particular district would have the power of subjecting another class to a very large impost. It was because the Irish Members knew that in this way the clause would be unfairly worked that they so strenuously opposed it.

Mr. DILLON said, that in the course of this debate no speech in support of the Amendment had been made by any of the Liberal Members opposite. He had supposed that hon. Gentlemen who called themselves Radicals would have certainly supported an Amendment of this kind. Failing any support from the Radical Members, he turned with pleasure to the speech of the Chief Secretary for Ireland, who rose to oppose the Amendment, but who, in fact, succeeded in delivering one of the strongest speeches in favour of it. The right hon. Gentleman had said that no man whose property or person was in danger could reasonably object to pay such a tax as this, and he felt perfectly certain that every farmer or even poor person in Ireland would rather pay this tax than this present state of things should continue. It was his contention that if any person considered his property in danger he would willingly pay this tax. Therefore, the Chief Secretary, in the speech he delivered under the impression that he was opposing the Amendment, strongly supported it. The Chief Secretary went on that line of argument which they had listened to very often in that House. He began by making a personal attack upon himself (Mr. Dillon). The right hon. Gentleman had said that he (Mr. Dillon) had used rather strong language with regard to the Resident Magistrates. He (Mr. Dillon) always endeavoured not to use strong language except when he felt strongly, and he did feel strongly on the question of Resident Magistrates. That question bore directly upon the Amendment. The Chief Secretary for Ireland talked about an official hierarchy, and he had said that if the House was not prepared to believe that the man at the head of this official hierarchy would not have sufficient intelligence to choose his instruments, no civilized government could be carried on anywhere. That was an argument always made use of in favour of the Napoleonic form of government—namely, that every country should be governed by an official hierarchy with the aid of a benevolent despotism. He had always understood that the theory of English government was the very reverse. Let them take the Chief Secretary for Ireland on his own words. He said let them trust the Lord Lieutenant to select instruments who would be thoroughly trustworthy. Would he dismiss the instruments who brought disgrace to his Predecessor? Would he dismiss the instruments who had made the administration of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) a disgrace to the Government, and a disgrace to a portion of the history of Ireland? Would he dismiss the special magistrates who were the selected instruments of the late Chief Secretary for Ireland, who he (Mr. Dillon) ventured to say had contributed materially to the ruin and disgrace of the right hon. Member for Bradford? If the Lord Lieutenant would do this, he would establish some right to select his own instruments. This might appear to be a little divergence from the point of the Amendment; but he was simply replying to an argument of the Chief Secretary, which the Chairman had allowed to be in Order. He (Mr. Dillon) submitted that his remarks were pertinent to the question, because it was not what might be done, or what might not be done; but it was an impossibility for the Lord Lieutenant of Ireland, or the Chief Secretary for Ireland, to know anything about the merits of the persons proposed to be exempted. It was absolutely necessary for those officials to trust to the advice of other men. He would ask again, would the Lord Lieutenant take the instruments chosen by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster)? Would he dismiss the instruments in the shape of special magistrates who concocted with Mr. Kavanagh the Land Corporation of Ireland?

The CHAIRMAN: I must point out that the hon. Gentleman is now travelling from the Amendment.

Mr. DILLON said, he respectfully submitted that he was strictly in Order.

The CHAIRMAN: The hon. Member has been going much beyond the Amendment, and I must request him to confine his remarks strictly to the Amendment.

Mr. DILLON said, he would endeavour to do so. The Amendment was whether the Lord Lieutenant should have power to exempt a certain area from the operation of the clause. They knew from experience what a certain area meant. It might mean, if the word was left undefined, the farms of a few individuals or the demesne of individuals. He was trying to prove that the power to exempt certain individuals from the operation of this clause was a most invidious one, and one open to the very grossest possible abuse. He begged to direct the Committee's attention to the fact that the Chief Secretary for Ireland had not attempted to deny that the power would be open to the greatest possible abuse. The Lord Lieutenant and the Chief Secretary for Ireland might have the very best intentions, but it was quite impossible that they could exercise their discretion in this matter. He would ask the Chief Secretary for Ireland whether he was aware of certain facts which had come to his (Mr. Dillon's) knowledge, clearly showing the abuse which might arise under this clause? Only this morning he had received a letter stating that Mr. Samuel Hussey, a local magistrate, had declared his intention to keep certain individuals, now in prison, in prison until the expiration of the Coercion Act. Mr. Hussey had expressed that determination because the men were leading Land Leaguers. The Chief Secretary for Ireland said the Lord Lieutenant and himself were resolved not to allow any person in the locality to take the initiative in the imposition of this tax; but who was to take the initiative? If it was not the people who knew the district, then, in the name of common sense, who was to take the initiative? The tax must be levied upon the report of somebody who knew the district. He submitted that the position of the Lord Lieutenant and Chief Secretary for Ireland was a very absurd one. There was another case which might arise, and which was one of the cases against which he was anxions to protect the people of any particular locality. He was sorry to hear the news that Lord Hawarden, in his (Mr. Dillon's) own county (Tipperary), had got ejectments against an entire parish, having a rent-roll of £8,000 a-year. The tenants in that parish were men paying from £100 to £200 a-year. They were most respectable men, but Lord Hawarden wanted to simply depopulate the parish, and when he had done it disturbance might very reasonably be anticipated. And what he (Mr. Dillon) wanted to know was, if the Government quartered extra police in the county, would they exempt the man who brought this misfortune upon the people by his unreasonable and outrageous conduct, would they exempt from the payment of this tax the man who was now evicting tenants because they would not pay rents which the Land Court had declared to be 25 per cent in excess of what they ought to be? Some of the tenants of Lord Hawarden had gone into the Land Court, and it had been shown that their rents were really in excess of what they ought to be by as much as 25 per cent. Because Lord Hawarden still wished to exact rack-rents would he be exempted from the payment of this tax if extra police were sent down there? That was a question, possibly, which the Chief Secretary would have to adjudicate upon within the next month. The right hon. Gentleman would, no doubt, very shortly have to consider whether Lord Cloncurry and Lord Hawarden, who, on account of their infamous action, had brought the people on their estates to a state of desperation, should be exempted from any consequent taxation. If his hon. Friends would take his advice, they would continue this discussion until it was shown that this clause would not be employed as an instrument by the Land Corporation to exterminate the people.

Sir WILLIAM HARCOURT said, he must appeal to the Committee to conclude the discussion on the Amendment. He did not deny that the Amendment was one that there ought to be a fair amount of discussion upon, but he would point out that they had devoted something like two hours to its consideration last night. [Mr. Sexton: The Amendment was proposed to-day.] The same subject was under consideration last night. He was in the recollection of the Committee when he said that this subject was really considered last night. In fact, one Irish Member had reproached hon. Gentlemen for not having been present that night when the matter was discussed. The Committee had devoted three hours to the subject to-day, and he thought it was now fully time that the discussion should be brought to a close. Every view upon the matter seemed to be freely and fully stated, and he thought that if the Bill was intended to be fairly dealt with in point of discussion, the time had now arrived when a division ought to be taken.

Mr. HEALY said, the Home Secretary had not attempted to answer the argument of his hon. Friend. It was all very well of the Government to sit still while the clause was under consideration; but that was not the view of the Irish Members as to what they ought to do. If the Government sat in stolidity, and did not answer a single argument, it would be necessary to have the discussion. The point of his hon. Friend was that Lord Hawarden was to be relieved of taxation, and that was a point worthy of the attention of the Government. On the 12th of July there was a celebration, and he wanted to know whether, under this provision, the Government intended to charge the localities for the extra police required to keep the peace between Orangemen and Catholics, or did they intend to exempt particular portions of the districts? Was it to be an arrangement that, if there were riots on the 12th of July, or during other Orange anniversaries, the charge of the extra police was to fall upon certain of the inhabitants, and that the Orangemen, whose anniversaries had been the cause of the extra police being required, were to be exempted? Those were questions deserving the attention of the Government. In the first place, the policy of exemption was a bad one. The Government had styled the 4th clause the "Boycotting" Clause; but he should apply that epithet to the 15th clause, for it was a provision which would exclude a certain class of people, and that was simply "Boycotting" by the Government. The Government, having condemned "Boycotting" in other quarters, now adopted it themselves. A certain portion of the community was to be "Boycotted" by being taxed. The question would arise why certain people were to be exempted, and that would occasion soreness; for everybody knew that a man who supported the Government was looked upon almost as a traitor, and the fact of his exemption would increase the ground of suspicion. If that suspicion was justified by exemption from taxation, nothing could save such a man from suspicion; and exemption from taxation would, in itself, be sufficient to create contention and discontent in the district. Everybody knew what was likely to be felt and manifested in such a case, and those whom the Government officials favoured would be disfavoured by the population at large. That was inevitable, and was one of the deplorable results of this particular clause. It was said that the Lord Lieutenant was a man of benevolent intentions, and would use this clause to the best of his ability. That might be very true in regard to the Lord Lieutenant, and also the Chief Secretary for Ireland; but the Committee would remember that the right hon. Member for Bradford (Mr. W. E. Forster) set out with the best declared intentions, and succeeded in earning the hatred of the Dublin *Evening Mail*, when he urged the landlords to be moderate. The present Chief Secretary for Ireland had recently denounced the landlords, but in a short time was obliged to withdraw his epithet of "cruel," because of the denunciations hurled at him. As time went on, the present Chief Secretary for Ireland would become as hardened as the right hon. Member for Bradford, between the hammer and the anvil, the nether and upper millstones. Both the landlords and the tenants would denounce him, and when he attempted to discriminate he would be told that his efforts had not given satisfaction; and, eventually, finding that he had given satisfaction to nobody, he would simply please himself. That was the inevitable result of officialism in Ireland. But he was inclined to think that the people would themselves cut the Gordian knot, and take a trenchant view of favouritism in regard to taxation. Under this provision the Lord Lieutenant might assess the amount of taxation on a locality, and if there was found to be a black sheep in that locality, who was said to cause trouble to the police, the entire charge of the extra police might be charged upon that individual. What would follow? The man was obliged to pay his rent, and then he was told he must pay the taxes; if he said he could not pay the rent, because of the heavy taxation, he must be turned on to the road, or refuse to pay his landlord. He must refuse either to pay the State or else his landlord. Which would he do? What occurred in the tithe war? The people refused to pay tithes. In this case, the landlord was to have power to turn a man on to the road if he did not pay his rent. But when the tenants struck against tithes, the landlord had no such power, and all he could do was to sell the tithes to the tenants; and, as nobody would buy them, the State was at its wits-end. Under this provision the tenants would consider that they had been unjustly treated, and would fall back on what was recommended by Mr. Cobden, many of whose maxims and theories had lately fallen into disfavour. What did that Gentleman say in regard to the imposition of taxes which he considered unjust and illegal? He (Mr. Healy) found in the journal which was favoured by the Government—namely, *The Pall Mall Gazette*, a letter from a correspondent who said—

> "I have no wish to defend the 'no rent' manifesto; but illegal courses have entered into the minds of agitators of better repute than Mr. Parnell. Reading a recent Memoir of Mr. Cobden, I find him writing of the Anti-Corn Law League in these words—'I find a little difficulty in advising the course the League should henceforth pursue. That course depends very much on the spirit of the people who are acting with us. If they were all of my temper in the matter we should very soon bring it to an issue. I presume that, however, your friends are not up to the mark for a general fiscal revolt, and I know of no other plan of peaceful resistance.'"

He (Mr. Healy) would like to ask the Chancellor of the Duchy of Lancaster, who was a Colleague of Mr. Cobden, whether his views were as much changed on the subject which occupied attention when he was associated with Mr. Cobden in resisting the Corn Laws and the Alien Act as they were on matters connected with the Alien Act at the present time? Suppose the people followed the recommendation of Mr. Cobden, and went in for a fiscal revolt against this taxation, what where the Government going to do? A general fiscal rebellion against this particular tax was much more easy to carry out than a rebellion against wrong——

Mr. CARTWRIGHT rose to Order, and asked whether the line of argument which the hon. Member was now pursuing was not altogether outside the Amendment, and a deliberate contempt of the Chairman's previous ruling?

The CHAIRMAN: For a long time the hon. Member kept to the Amendment, although at great length; but he has gone beyond the Amendment, and I hope he will keep strictly to it.

Mr. HEALY said, that for the information of hon. Gentlemen like the hon. Gentleman opposite (Mr. Cartwright), who did not follow the debates with any keenness—["Order, order!"] Well, he would say those who did follow the debates with keenness, that the Amendment now before the Committee was an Amendment against allowing the Lord Lieutenant to exempt certain favoured parties, which, he argued, would be regarded as favouritism on the part of the Government, and would cause discontent, and the people not exempted might follow the recommendation of Cobden and go in for a general fiscal revolt. In all that he thought he was keeping to the Amendment, and he would urge on the Government this fact. If the people did what he apprehended they would do, the Government had not the remedy which the landlords had, because the landlords could eject people if they followed out the policy suggested by Cobden, while the State had no remedy but to sell the chattels; but nobody would buy them, and so they would be brought to a standstill in the collection of this extraordinary tax. Therefore, he thought the people of Ireland would see that very clearly—and the people of Ireland were no greater fools than the people of any other country—and they would measure the power of the Government to enforce injustice; and while John Smith was made a favourite of Mr. Clifford Lloyd and exempted, Brown, Jones, and Robinson would have to pay this tax; he ventured to think they would consider whether they could not compel the Government to levy this taxation fairly, or else they would resort to a fiscal revolt.

Mr. LABOUCHERE said, it seemed to him that the wishes of the Home Secretary might be met if he would yield upon one particular point. Hon. Members opposite had pointed out that it was very possible that the very persons who were the originators of outrages—that was to say, the evictors, would be exempted. He would suggest that it would be well to take a division at once upon that Amendment, and then, perhaps, the Home Secretary could add—

"But in no case shall any property or portion of property belonging to a landlord who has evicted his tenants in a manner which, in the opinion of the Lord Lieutenant, is cruel and unpatriotic to the Government, be exempted."

MR. PARNELL said, he thought he had every reason to complain that the conduct of this important Bill, touching as it did the action of the Irish people during every minute of their lives, and depriving them of every Constitutional right, should be left to a Member of the Government who had no practical acquaintance with the Government of Ireland other than that which he might have received from informers in the Home Office—and certainly their information did not result in anything more than information which could not be of a valuable character. Irish Members had every reason to complain of the conduct of this Bill through Committee, and when the Home Secretary intimated that, in his opinion, this Amendment had occupied sufficient time in discussion, all they could say was that the Home Secretary was welcome to his opinion on the subject; but they could not attach much importance to that opinion, considering that the Home Secretary was entirely without information upon the subject-matter. The Chief Secretary for Ireland would have conducted the Bill through Committee in half the time. He (Mr. Parnell) had had a Parliamentary experience of nearly eight Sessions, and he had never known any Government who had so stubbornly resisted all concession as the present Government had. This was a matter which affected the existence of a great many people in Ireland. During the administration of the late Chief Secretary for Ireland, a number of poor tenants who had been in receipt of relief during the winter of 1879-80, but upon whom a tax of this kind was placed with the result of rendering them entirely destitute, the right hon. Gentleman stated that one of his reasons for not renewing this power of placing a charge on small districts was the number of instances of injustice similar to that of the tenants in Mayo, which had come under his notice in the administration of the Act of 1875. The Irish Members wished to know upon what principle the Government intended to proceed in this matter? All the rich land was in the occupation of the landlords, and all the poor land in the hands of the tenants; consequently, when a tax of this kind was levied, it fell upon the poorer class of tenants, and practical starvation resulted; because, if they failed to pay the tax, their furniture and all that they had was taken from them. Such was the result of refusing the Amendment to a clause such as this; but the Home Secretary refused to allow an hour or two for its discussion. The practical result of refusing the Amendment would probably be, as his hon. Friend had pointed out, a fiscal revolt. Experience during the tithe war, when it became impossible to collect the £1,000,000 required, justified this view. If the people should refuse, as the result of this unjust and iniquitous tax, to pay county cess, just as in 1833, when all the resources of the police and military could not enable the Government to collect the tithe rents, so, in 1882, they would be unable to collect the county cess of £1,200,000. It was ridiculous for the Government to rush blindfold into this position. The Home Secretary was acting on an absurd panic. He and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) were the two curses of the late Administration in Ireland. To the false information supplied to the Home Secretary in London and to the Castle in Dublin, by men who ought to have been cast off by a respectable and justice-loving Administration in Ireland, was due the way in which the Government were acting; and the Irish had to complain that there was no Chief Secretary for Ireland in the House with full powers to act. The right hon and. learned Gentleman the Home Secretary had not full powers; he had to write to the Lord Lieutenant for liberty to answer a question——

THE CHAIRMAN: The hon. Member is going much beyond the question before the Committee.

MR. PARNELL said, the Home Secretary had to write over to the Irish Government for permission to accept an Amendment even of this character; and repeatedly during the progress of this debate, when they had asked for a reasonable Amendment, they had been told that the Home Secretary must consult the Irish Government as to what he might or might or might not do. Lord Spencer was saturated with the traditions of English government in Ireland,

and the people of Ireland had no hope from his Administration.

The CHAIRMAN: I must request the hon. Member to speak to the Amendment.

Mr. PARNELL said, he wished to intimate his belief that if they had a responsible Chief Secretary in the House there would be less difficulty in persuading the Government to accept Amendments of this kind. He regretted the position in which this Bill had got, and that was owing to the fact that there was a Minister in charge of the Bill who was absolutely ignorant of Irish questions, and that there was no responsible Chief Secretary in the House.

Mr. METGE said, the Government were deliberately saddling themselves with a source of danger in resisting this Amendment. His hon. Friend had intimated what that danger was, and he thought the people of Ireland would be fools if they did not act upon that suggestion. They had been told, on the authority of Members of the Government, that the rents in Ireland had been reduced, and they had sent their Courts to decide questions of rent.

The CHAIRMAN: That subject has nothing to do with the question before the Committee.

Mr. METGE said, he wished to show his reason for supporting the Amendment. His reason was that the clause would unjustly tax the people; and for that reason he wished to show that the Sub-Commission Courts were not doing their work either in regard to the reduction of rents——

The CHAIRMAN: I must point out to the hon. Member that the Committee is not discussing the whole clause, to which his observations might, perhaps, be applicable; but the Committee is discussing the exemption of certain arrears by the Lord Lieutenant.

Mr. METGE said, he felt strongly upon this subject, and wished to show why this unjust taxation should not be levied. He hoped the Government would not be so blind as to deliberately take upon and fetter themselves with a source of danger which, if acted on by the Irish people—as he believed it would be acted upon—would put them into a greater difficulty than any of the difficulties in the past.

Mr. DILLON said, he was very much inclined to move to report Progress, because it appeared to him that the Government did not in the least understand what was a fair course of procedure in this matter. He would suggest that the Chief Secretary for Ireland should telegraph to the Lord Lieutenant and ask whether he might assent to this Amendment, because, as the hon. Member for the City of Cork (Mr. Parnell) had pointed out, the Home Secretary knew nothing about Ireland; and it appeared the Chief Secretary did not know whether he might agree to this Amendment or not. The right hon. Gentleman had made a speech in support of the Amendment, and then refused to agree to it.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Dillon*,)—put, and *negatived*.

Question put, "That the words 'and the' stand part of the Clause."

The Committee *divided*:—Ayes 191; Noes 53: Majority 138.—(Div. List, No. 187.)

Mr. CALLAN, in moving, in page 7, line 40, to leave out the words "Lord Lieutenant," and insert the words—

> "Going judge of assize for the county in which said charge is payable, subject to the same rules as in the case of presentments sent before him from the grand jury,"

said, he hoped the Government would accept this Amendment. The Lord Lieutenant was surely not expected to go into the counties and hear evidence for himself as to the justice and necessity of exempting any specified portion of a district. By this Bill a power of life and death was given to the Irish Judges, who were entrusted with a power which hitherto had been entrusted to juries; and he wished to retain in the hands of the Judges the power they at present had whenever any charge was levied on a county in Ireland. Such charge was either levied by peremptory presentment or by Grand Jury presentment, and any part of the district feeling aggrieved could go before the going Judge of Assize, either against the presentment, or to have it sent back, or to have it rejected. The object of the Amendment was to place the going Judge of Assize in the position which he at present held, so that his fiat should be necessary to any charge being imposed upon the county. In cases of this kind it was necessary that some sort of judicial investigation should take place before any district in any part of Ireland should be liable to be declared chargeable with the burden of the extra Constabulary, or before any particular area of a district should be declared exempt. If a case were brought before the going Judge sitting at Assize in any county, he could take such evidence as it might be necessary to hear before deciding upon the question, and he thought that the refusal to leave the matter to the going Judge would in reality be a slur on the Irish magistrates, as well as upon the Irish Judges. He asked the Committee were they prepared to cast such a slur on those officials? There could be no difference of opinion about the matter, because it was clear that if they left it to the Lord Lieutenant he would be obliged to found his action on the reports of the police and the Resident Magistrates. He could not be expected to have the evidence put before him; he must act on the information supplied to the magistrates by a secret informer, and it would be found that he would be exposed to all sorts of applications by landlords and other interested parties to exempt certain localities from the onus of the charge, while there would be no evidence by which the public could judge as to how the Lord Lieutenant had exercised the power given to him, supposing an opportunity was desired for showing that an injustice had been done. If the Committee were inclined to adopt his Amendment, and leave it to the going Judge of Assize for the county, he (Mr. Callan) should not object if it were provided that in cases where secrecy was desired the evidence to be taken by the Judge should be given before him in Chambers; so that no one should be present but himself and the witness, whose sworn testimony he would receive. There would be no danger in doing this. Surely the police, who would be the principal witnesses in these cases, might be examined in open Court; but if the Home Secretary wished it, such evidence as it might be desired to take secretly could be given in private. But it was of no use to appeal to the right hon. and learned Gentleman the Home Secretary (Sir William Harcourt), because he was hopelessly and incompetently ignorant of the material administration of Ireland. The Home Secretary could not, like Sir Boyle Roche's bird, be in two places at once. He might know something, however little, respecting English law and English practice, but he could not possibly know anything whatever of the practice of Ireland with reference to presentments sent from the Irish Grand Juries. What he (Mr. Callan) desired to secure by this Amendment was that in instead of the Lord Lieutenant being empowered to "declare the said lands chargeable," it should be left to the going Judge of Assize for the county in which the charge was payable, either in open Court or in a secret Chamber, to take such evidence as would convince his judicial mind and guide him to a just decision. The right hon. and learned Gentleman the Attorney General for Ireland (Mr. W. M. Johnson), whom they all knew well, would, in all probability, be one of the going Judges of Assize in the course of next month. At any rate, they hoped he would be, for he well deserved the position, and would make, in his (Mr. Callan's) belief, a much more impartial administrator than any English official they might have imposed on their unfortunate country. He proposed that the question in the case under discussion should be left to the going Judge of Assize, such as the right hon. and learned Gentleman the Attorney General for Ireland would be in a short time—that it should be for the Judge to decide whether there was sufficient evidence to satisfy his mind that certain property in a particular district should be exempt from the charge leviable under the clause. He therefore begged to move the insertion of the Amendment which stood in his name.

Amendment proposed,

In page 7, line 40, to leave out the words "Lord Lieutenant," and insert the words "going judge of assize for the county in which said charge is payable, subject to the same rules as in the case of presentments sent before him from the grand jury."—(*Mr. Callan.*)

Question proposed, "That the words 'Lord Lieutenant' stand part of the Clause."

SIR WILLIAM HARCOURT said, he should have thought the hon. Member who had just sat down, the Member for Louth (Mr. Callan), and the hon. Member for the City of Cork (Mr. Parnell), had had sufficient experience to enable them to learn that any amount of personal abuse which they could level at him would have no effect. In order that censures of that kind might carry with them any weight they must proceed from persons very different from either the hon. Member who had moved the Amendment (Mr. Callan) or the hon. Member for the City of Cork. This was all he thought it necessary to say in answer to the coarse abuse and violent vituperation to which he had been subjected, and it was the only sort of notice of which he should ever think such language worthy. With regard to this particular Amendment, it would be obvious to the Committee that it was utterly impracticable. It was an Amendment proposing to make the subject of judicial inquiry that which was manifestly and necessarily a matter for the Executive Government to deal with in the manner provided by the clause.

Mr. HEALY said, he could almost sympathize with the hon. Gentleman the Member for Louth (Mr. Callan) in his attacks on the right hon. and learned Gentleman the Home Secretary, because they had been the means of wringing from the right hon. and learned Gentleman something in the nature of a qualified declaration, to say nothing of the gorgeous eloquence to which the Committee had listened, for after condemning the language of the hon. Member for Louth (Mr. Callan), the right hon. and learned Gentleman had informed the Committee that there was to be nothing in the shape of a judicial investigation into the facts. Consequently the Committee were asked to accept a Bill of this description, suspending the Constitution in Ireland and imposing taxation without representation on the ratepayers, without the smallest attempt to give them the means of a general investigation into the circumstances under which the taxation would be levied. This was the only answer they could get from the Government to the very reasonable Amendment that had been proposed. If this answer were sufficient for the House of Commons as a justification for refusing the Amendment, he was afraid the intelligence of the House of Commons must have fallen very low. What were they told by the Government? They were told that a judicial investigation was not necessary. The fact was that the whole country was to be simply laid at the feet of one individual; and yet they were constantly being told that the British Law and Constitution still prevailed in that country. It was much better as it was under the Grand Jury system, bad as that system was, because there was an appeal in a case of a presentment made by the Grand Jury to the Judge of Assize. Any ratepayer who might feel himself damnified by the decision of the Grand Jury had an appeal to the going Judge of Assize; but under the extraordinary provision of this particular clause the Lord Lieutenant, sitting at Dublin Castle, without hearing the representations of those persons who would be affected by the taxation, but acting on the hint and suggestion of Mr. Clifford Lloyd, or men of a like stamp, was to have the sole power of deciding whether a certain portion of the community were to be rendered poor and miserable, or whether they were to be comfortable—because it was the difference between these two conditions that was meant by extra taxation, so that very often the slight difference between comfort and misery, sufficient and starvation, among the poor tenants in many parts of Ireland would, under this clause, be determined by the action of the Lord Lieutenant, without what the right hon. and learned Gentleman the Home Secretary seemed to regard as the farce of a judicial investigation. It might have been expected that a lawyer like the right hon. and learned Gentleman would have been inclined to treat a judicial investigation in a different spirit to that which he had evinced; but since he had taken to the seizing of papers like *The Freiheit* and *United Ireland*, his respect for judicial procedure seemed to have been growing small by degrees and beautifully less. But he (Mr. Healy) wished to point out to the Committee that the Lord Lieutenant alone was, under the clause as it now stood, to have the power of saying whether the people of Ireland were to pay the greater part of their substance in taxes. What was the Amendment? It was a proposal that one of the Judges—not the three of them, as in the case of the 1st clause of the Bill—was to be allowed to interpose between the Lord Lieutenant and the humble and unfortunate taxpayer in Ireland. This proposal, reasonable as it was, was not merely refused, but had been actually derided by the right hon. and learned Gentleman the Home Secretary. In the 1st clause of the Bill power of life and death was given to three Judges; but here, where it was proposed to give to one Judge the power of saying whether a particular district was to be taxed or not, the proposal was refused. And this was the way in which the Irish Members were treated all through the discussions on the clauses of this Bill. They were not merely met by flimsy and shallow arguments, or apologies for argument, but by expressions of actual contempt from the Ministerial portion of the House. The Government were going in for extreme measures. Let them go ahead.

THE CHAIRMAN: I must call upon the hon. Member for Wexford (Mr. Healy) to keep to the Amendment before the Committee.

MR. HEALY said, if he had wandered away from the Amendment the amount of transgression on his part was very slender. In fact, up to this point he thought he had been dealing very closely with the Amendment; but having given a slight warning to the Government he should proceed. He desired to point out to the Committee that hitherto, when the people of Ireland had been exceedingly heavily taxed, they had, at least, had some remedy; but in the present instance, when it was proposed to put an exceptional power of taxation into the hands of one individual, the right hon. and learned Gentleman the Home Secretary (Sir William Harcourt) refused to allow them any remedy. On whose advice, he asked, would the Lord Lieutenant act? He would be obliged, of course, to act on the representations of the local magistrates and police, and the people were to be refused any sort of representation before the Lord Lieutenant. There were many circumstances in Ireland in reference to which persons who thought themselves aggrieved were allowed to appear before the Privy Council and plead their own cause; but there was not a single provision in this Bill under which the already over-taxed Irish ratepayers were to be allowed any power of appeal before the Lord Lieutenant; and if any Amendment, no matter how reasonable it might be, were moved for the purpose of securing ever so small a measure of justice, it was sure to be met on the part of the Government with a refusal not only given in the most contemptuous tones, but supported by arguments of the most flimsy and unsatisfactory kind.

MR. MOORE said, it was with great unwillingness that he ventured to intrude in this debate, because he felt, from what had already occurred, and from the manner in which the Government seemed disposed to meet any arguments that were addressed to them, that anything he might have to say was likely to have very little weight, either on that or the other side of the House. Nevertheless, he was of opinion that Her Majesty's Government were making a great mistake with regard to this clause. It seemed to him to be a very arbitrary thing if the power proposed to be given to the Lord Lieutenant were allowed to be exercised without any right of appeal on the part of the district. The power that was asked for by this Amendment was one that already existed in regard to other matters that were brought before the Courts of Assize in Ireland, and he did not see any reason why the analogy of the existing system should not be followed in the present instance. Let them take, for example, the case of malicious injury. An act of malicious injury was committed in a certain district—say, in the case of property forming part of a townland. The townland might be only a small portion of the area of a district, and it was very unlikely that the persons inhabiting that particular townland would commit a malicious injury on themselves. In the event of a malicious injury being perpetrated in connection with that townland, the Grand Jury would have power to make a presentment; but they could only do so after a public investigation; and if the traversers, and those who might object to the presentment on the part of the public, did not think that justice had been done, they had the right to go before the Judge of Assize, and in that way only could exemptions be made. But if the Committee would allow him, he would push the argument further home. There was in the next clause power to fine a district for an outrage that might be perpetrated, and the power was so large that almost any sum might be levied on the district in which the outrage was committed. The Lord Lieutenant might send down an extra body of police, and charge the particular district to which it was despatched with the amount necessary for its maintenance; and this was substantially the same principle as that of the punishment which followed in the next clause—namely, the actual enforcement of a money punishment; but by that next clause they required that a public investigation should take place before the Lord Lieutenant undertook to inflict upon the district the taxation that would be necessary to carry out the punishment. He could not but think that the Government had made a great mistake in rejecting this Amendment. He had not intervened in this debate out of any wish to delay the progress of the Bill, because he felt that every day which lengthened the postponement of this measure only added to the number of unfortunate tenants who were now being evicted, and who were thus losing the right of redemption and all the other advantages they might secure under the Arrears Bill. For this reason he had been most unwilling to interpose; but he certainly did think that Her Majesty's Government, before giving power to the Lord Lieutenant to make the exemptions provided for by the clause, would have done well to have inserted a provision requiring that, in the first instance, there should be a public investigation, at which the reasons for the exemptions would be publicly stated. There was no reason in the world why the reasons should not be publicly stated which would not be equally applicable to the next clause; nor could he see the slightest reason for saying that any man who desired to be exempted from the payment of the tax should not be able to appear by himself or by a solicitor before a competent tribunal, for the purpose of claiming that exemption, and, on producing sufficient proof that he was entitled to it, obtaining a remission.

Colonel O'BEIRNE said, he considered what had just been stated to be perfectly true—namely, that those who ought to be exempted from the payment of the tax ought to have an opportunity of making a claim, and stating their reasons for asking to have the tax remitted before a Judge of Assize in open Court. Under the clause, as it stood, however, no such opportunity was afforded, and he might add that he was afraid Her Majesty's Government were delaying the Arrears Bill by the course they were pursuing in refusing to accept even the smallest and most reasonable Amendments to the measure now under discussion. For his own part, he had very seldom interfered in the discussion of these clauses, as he did not wish to delay the progrees of the Bill through Committee, because he approved of the Bill in the main, believing that there was an unfortunate necessity for it; but with regard to this particular clause he felt bound to say a few words. What the hon. Member for Waterford (Mr. R. Power) had stated some time ago in regard to the imposition of this special charge upon a district was perfectly true—namely, that it would cost that district £35 a-year, he (Colonel O'Beirne) thought it would probably be £40 a-year, for each extra policeman. He thought, therefore, in view of this large additional burden, Her Majesty's Government ought to afford the district an opportunity of clearing itself and obtaining exemption if it were able to bring substantial reasons before the Judge of Assize as to why the tax should be remitted. He hoped the Government would yield upon this point and accept the Amendment.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, he thought the clause before the Committee was one that embodied a sound principle. By the Amendment it was proposed to leave to the Judge of Assize for the county in which the charge was payable the decision as to the area over which the exemption from the tax might be extended, and this was to be done, subject to the same rules as in the case of presentments sent before him from the Grand Jury. The only analogous case he was aware of under the Grand Jury system was one that was in some respects a close analogy; he referred to the case of malicious injury to property, in reference to which the Grand Jury had the power of awarding compensation, subject to an appeal to the Judge of Assize, in which case the Judge investigated the matter with the aid of a jury. It was proposed that the subject-matter of the present clause should be dealt with in a similar way, and if the Amendment were adopted by the Committee, the result would follow that in the case of any objection to the incidence of the tax under the Bill the matter would have to be submitted to the arbitrament of a jury, subject to this regulation—that the petty jury would have no power to deal with the question of the extent of area over which the whole tax was levied. At the present moment, the Grand Jury, and the Grand Jury alone, had the power of deciding on what districts the compensation for malicious injury should fall, or what portion of a district should contribute, and the Judge had no power to interfere with that matter in any way. The only point he and the petty jury decided was the question of fact as to whether a malicious injury was committed, and where this was proved they fixed the amount of compensation to be awarded. It was felt, however, that a Judge going down to a county in which he was not a resident, and with regard to which, therefore, he was probably without special information, was not the best person to form an opinion as to the matters that had necessarily to be considered and decided in regard to the area that should be taxed, or the area that should be exempted. The answer given in this debate, both last night and to-night, and repeated over and over again, was that it was considered absolutely essential that the admittedly strong and exceptional powers conferred on the Government by this clause should be administered by the Executive. This argument might be strong, and it might be weak; but it must be borne in mind that it was the argument by which the clause was supported. If the power of dealing with a claim for compensation were to be withdrawn from the Executive, he was not aware of any other tribunal to which it could properly be transferred, and certainly the one suggested by the Amendment was altogether out of the question. He remembered not long since, at the Louth Assizes, a question of this kind coming before the Judge, and the Judge of Assize declined to entertain any question as to the area of taxation, saying that that was a matter with which a Judge of Assize was peculiarly incompetent to deal. [MR. CALLAN: That was a fishery case.] He (the Solicitor General for Ireland) believed it was a harbour case; but it was one which illustrated the argument that a Judge of Assize, having no special knowledge of a county into which he was sent, or of the district, was not the proper person to consider and determine these questions. Therefore, it appeared to him that in whatever other way this clause might be susceptible of amendment, he had heard no reasons that, in his mind, would render this Amendment admissible.

MR. CALLAN said, the hon. and learned Gentleman the Solicitor General for Ireland (Mr. Porter) had unintentionally made a mistake in speaking on his (Mr. Callan's) Amendment. The hon. and learned Gentleman had referred to a case that had occurred in the northern part of the county which he (Mr. Callan) represented (Louth). He (Mr. Callan) said it was the case of a fishery pier; but the hon. and learned Gentleman had contradicted that statement, and said it was a harbour case. It was, however, a fishing pier, although he believed the hon. and learned Gentleman (Mr. Porter) was counsel in the case, and, therefore, ought to have known that the pier was used for the fishing boats which frequented that harbour. But with regard to the statement that had been made as to the effect of the Amendment with regard to the question being tried by a petty jury, the object of the Amendment was to substitute the going Judge of Assize for the Lord Lieutenant, and the word "traverse" was not in his Amendment. The Amendment cut away all reference to any jury, and gave the power to the going Judge of Assize instead of to the Lord Lieutenant, the reference to the Judge being subject to the same rules as in the case of presentments sent before him from the Grand Jury, which meant the same rules of taking evidence; but the Amendment might be drawn up in a more formal manner, and he should have no objection to its being put into the perfect form in which the paid officers of the Crown could draft it on the Report. But he was sorry to see that he was met in a different spirit. The right hon. and learned Gentleman the Home Secretary had, in his grandiloquent manner, coupled him (Mr. Callan) with the hon. Member for the City of Cork (Mr. Parnell); and although he did not always agree with the hon. Member for the City of Cork, he was proud, in the face of the Irish people, to be described as holding the same sentiments and fighting the same fight as the hon. Gentleman (Mr. Parnell) did in that House against this iniquitous Bill. He remembered on one occasion receiving a finished castigation from the Prime Minister, when the right hon. and learned Gentleman——

The CHAIRMAN: I must ask the hon. Member for Louth to speak to the Amendment.

Mr. CALLAN said, he had referred to the point sufficiently for his purpose, and would now proceed to the salient point of his Amendment. The strong objection to this Amendment was that to which he had referred as having been taken by the hon. and learned Gentleman the Solicitor General for Ireland, and to meet this he (Mr. Callan) had offered to withdraw the Amendment and bring it up again in a different form on the Report. But the hon. and learned Gentleman the Solicitor General for Ireland had not responded to that. If the hon. and learned Gentleman would accept the principle of the Amendment, he (Mr. Callan) should be prepared to alter the wording of it, so that the matter could be referred to the Judge of Assize to take evidence, if necessary, *in camera.* But the right hon. and learned Gentleman the Home Secretary would not accept this, and the Solicitor General for Ireland, knowing what the circumstances in Ireland were, had endeavoured to mystify the Committee—the fact being that the Amendment simply proposed to give to the going Judge of Assize, without the intervention of a petty jury, the sole and absolute power which the clause in its present state gave to the Lord Lieutenant. He thought it very desirable that this power should be so transferred. It had been said that the going Judge knew nothing of the district to which he was sent. Why, in the course of the next fortnight they would find the Government pointing to the opinions of the going Judges of Assize as those of men who knew what the condition of the country really was. The Lord Lieutenant had all Ireland to govern; a Judge of Assize would only have to deal with the particular county to which he might be sent at the time; and, looking at all the circumstances of the case, he could not for the life of him see any ground for the objection taken to his Amendment. He had put in the words "subject to the same rules as in the case of presentments sent before him from the Grand Jury," and this would require that notice should be published in the newspapers of the intention to exempt certain districts, so that if it were intended to make these exemptions the parties who might feel aggrieved would have such notice as would give them time to apply even to the Solicitor General for Ireland himself to defend them against the intended iniquity. The Amendment would save, wholly and entirely, the intervention of a jury in regard to the power proposed to be given to the Lord Lieutenant by the Bill.

Mr. METGE said, he thought it hard that they should be bowled over in the attempt to secure the adoption of this Amendment by the statement of the Home Secretary that it was not the policy of Her Majesty's Government to submit the functions they wished the Executive to employ to the hands of a Judge of Assize. But the arguments employed by the Representatives of the Government were not really applicable to the Amendment before the Committee. That Amendment—and he thought it could not have been more carefully worded—showed that what was desired was that when a punishment of the kind provided by the clause was intended to be inflicted on a whole district, the power should be placed in the hands of a man who really had an opportunity of knowing something about the district. If that was the case with regard to the Judge of Assize, how much more was it the case with regard to the Lord Lieutenant? The Lord Lieutenant could, in a far less degree, have knowledge of the rights and wrongs of the matter than the Judge of Assize, because the Judge was not only a man who was often well acquainted with the country and the district in which he was called upon to adjudicate, but who was also well acquainted with a great many of the people in the locality. Everyone who knew anything about this must be well aware that it would be almost impossible to point out the line of area to be charged. He had seen areas charged for malicious injury, the crime having been committed within an imaginary district line, whereas it was popularly known that the crime and the criminals, so far as they could be traced at all, belonged to an adjoining district. For that reason, where the difficulty of finding the limits of the district to which the crime might be said properly to belong were so great, they should adopt the best means in their power of getting a sound decision arrived at. With regard to the question of punishment, where a case was proved, no doubt the punishment to be inflicted on a district would be a just one; but surely it was not necessary to bring the punishment home with such tremendous rapidity that they were not able to wait until the Judge of Assize came round. The district in which a crime was committed would know full well that punishment would be sure to fall upon it. If it were merely for the purpose of giving the Executive power to inflict punishment a few weeks or a few months sooner than it might be inflicted by the Judge of Assize that the Government made their proposal, in a case of this sort, where the fine would be an extremely heavy one, the Committee should resist their action. The Committee should give the localities the extension that would be afforded to them by allowing them to try their case before the Judge of Assize. The Home Secretary had told them that to do that would interfere with the spirit of the Act in every way, taking the powers which would be conferred upon the Executive and transferring them to a judicial officer. But he would remind Radical Members opposite that in this consisted the very venom of this measure from first to last. Before the passing of the old Coercion Act they had had some words from the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) which he could hardly think the right hon. Gentleman had acted upon—namely, that the Executive would consider every case fairly and honestly before man and God, and that they would never take action without due consideration. In the present measure, however, they found that the Government had gone back from that statement. The Home Secretary put aside all these high-flown ideas of making an appeal of any kind, either to justice or to the Divinity. He would merely call the attention of Radical Members to this—that it could hardly be in consonance with their principles to uphold the decision of the Government to give to the Head of the Executive in Ireland, who could not have the evidence properly brought before him, the powers it was proposed to bestow upon him.

MR. M'COAN said, he sincerely regretted that what he could not help but regard as a valuable Amendment should be prejudiced by the manner in which it had been introduced and supported. He need hardly say that he had no sympathy—but the reverse—with mere personal abuse of Ministers; and he would venture to say that if this Amendment had been supported with moderation, it would have commended itself to the favourable judgment of the Committee. Its object, apart from personalities and from the source whence it proceeded, was to improve the clause, and to carry out, in some degree, the intention of the previous Amendment. The main complaint that could be urged against this sub-section was that, as it stood, it admitted of abuse through the official favouritism of which they had heard so much. If either the words covered by the last Amendment had been struck out, or the suggestion of the hon. Member for Limerick (Mr. O'Shaughnessy), limiting the power of the Lord Lieutenant, had been adopted, it would have been satisfactory; but, as neither had been done, the next nearest approach to improvement was that now proposed by the hon. Member for Louth (Mr. Callan). He (Mr. M'Coan) had listened with great attention to the Solicitor General for Ireland, as he knew that the hon. and learned Gentleman spoke with perfect knowledge of the subject; but, as one of the jurymen, so to speak, who had to pronounce on the Amendment, he (Mr. M'Coan) had not been convinced by the arguments of that legal authority who had described this as "an unworkable Amendment." He (Mr. M'Coan) could see no practical difficulty whatever in giving a Judge of Assize power to adjudicate upon the equity of a claim of this kind. The Judge of Assize seemed to him a better authority to leave the decision of these cases to than the Lord Lieutenant, because he took evidence on the spot where the crime had occurred, and was a much more competent tribunal, even acting alone, without a jury, than the Lord Lieutenant sitting in Dublin Castle, and acting simply on the reports of the magistrates or police. If that were so, he saw no practical difficulty at all, but, on the contrary, every reason in justice and equity why this Amendment should be adopted. If it were agreed to, the concession would be gratefully appreciated by the Irish Members. He would venture to ask the Home Secretary to forget the petty personal vituperation which had been addressed to him, and to deal with the Amendment in a spirit of broad justice to the Irish people.

Sir WILLIAM HARCOURT said, he could assure the hon. Member who had just sat down that he paid no attention whatever to the abusive language of the hon. Member for Louth (Mr. Callan), and that it had produced no effect whatever on his mind, and would not influence him one way or the other. He should be extremely glad if he could do anything to create more confidence in the measure; but if the hon. Member would look into the question, he would see that, like all matters dealt with in this Bill, this question must be treated in an exceptional manner. When they had proposed to deal with the far more important question of trial by jury by leaving the decision of the cases with the Lord Lieutenant, many proposals had been made to relieve the Lord Lieutenant from that responsibility by vesting the power in other persons. It had been proposed, for instance, that it should be left with the Judges; but the Government had not seen their way to adopting the suggestion, and when so grave a power as that was left in the hands of the Lord Lieutenant there could be no difficulty in leaving with him the power conferred by this clause. It seemed to him that the principle contained in the clause would be advantageous for arriving at a rapid and effective method of dealing with crime in Ireland. The clause was one to which the Government attached immense importance, and they considered, as a punitive clause, it would have great effect. It might, and he dared say it would, cause hardship to individuals. That he had always felt must be the unfortunate consequence of Bills of this description; but the responsibility for that must rest on those who had created the present state of things in Ireland—upon those who, by their speeches and their actions, had reduced Ireland to such a condition that, in the opinion of everybody, or almost everybody, a measure of this kind was necessary.

Mr. T. D. SULLIVAN said, it seemed to him that the argument in favour of the Amendment and proposed change in this clause was a very fair one. The Amendment proposed to substitute for the Lord Lieutenant, with regard to the exemption of particular areas, the Judge of Assize. The object of that was simply to enable people who were conscious of their own innocence in the matter to prove it, and thereby obtain exemption from the crushing fine that might be imposed upon them. As he had said, the apprehensions of the Lord Lieutenant might prove to be unfounded. Was there, then, anything unfair in enabling the people of a district to give evidence before some authority or other that there was no need or ground for any apprehension whatever? In like manner, would it be unfair to enable individuals who were subject to this taxation for the extra police to come before some authority and prove that they had never participated in the crime, nor in the sympathy with it. If the right hon. and learned Gentleman objected to putting the Judge of Assize in this matter in place of the Lord Lieutenant, would he enable these persons to prove their innocence before the Lord Lieutenant himself? Would he put any machinery into the Bill by which people who felt themselves aggrieved by this taxation for extra police might go before the Lord Lieutenant and state their case to him, and prove that the apprehensions, by reason of which these extra police were sent down to them, were unfounded, and that, so far as they were concerned, they had had neither participation in the crime nor sympathy with it? The right hon. and learned Gentleman the Home Secretary had professed to desire not to punish the innocent with the guilty under this Act, nor any other Act. Then let them take him at his word. Why not afford to innocent people, and people who were prepared to prove their innocence, some means of relief? Why not allow them to demonstrate to a Judge, or to His Excellency himself if necessary, that this taxation, so far as they were concerned, was inequitable, unjust, and unwarrantable, and could be productive of no good effect whatever? He must confess that his experience was that it was no use to put questions of this sort to the Home Secretary or the Government opposite; but, though he recognized that fact, he would still put the question, in order that it might go at least before the Committee. What objection could there be to enabling the people who alleged their innocence of participation in crime, or sympathy with it, to go before some tribunal, and thereby relieve themselves of the taxation that might be imposed upon them? Whether the Home Secretary answered him or not, he would put the question to the Committee.

MR. GIBSON said, he wished to say just one word upon this matter. It was obvious that the question of exemptions must be considered at the same time as the question of making the charges. The portion of the clause they had already passed vested in the Lord Lieutenant the power of selecting a district; and, by this Amendment, although the power of selecting a district had been vested in the Lord Lieutenant, the power of making exemptions would be vested in another official—an official who had had no voice, and who had not been consulted in the selection of the district. Practically, therefore, the Amendment, if accepted, would render the clause entirely unworkable. There was one other observation he wished to make, and it was this. It might well be that before the Judge of Assize came to sit in a district the incident might have terminated, and the necessity for making a charge for an extra police force might have passed away—there might be, practically, nothing to bring before that Judge of Assize.

MR. BIGGAR said, it seemed to him that the Amendment was a wonderfully reasonable one. He had not had the privilege of hearing the opening speech of his hon. Friend the Member for Louth (Mr. Callan), and probably, therefore, he had missed some of the best arguments to be advanced in favour of the Amendment; but, if he understood the proposal, what it would do would be this, to hand over the power of deciding what exemptions should be made to the going Judge of Assize instead of the Lord Lieutenant, and he would have to hear the evidence in open Court. It had been alleged in some of the speeches that before the Assizes took place the need for a special police force in a district might have ceased, and that, therefore, the whole thing would lapse; but that was mixing up two different questions. The question as to the period during which the police should remain in the district, and the question of the charge for the maintenance of that force, were entirely different matters. He did not think it was alleged that the Government should apply for payment immediately the police were sent to a district, and, therefore, he did not think there was any weight whatever in that argument against the Amendment. The claim on account of the charge for extra police might be made every half year, and the money might be collected with the county cess. The practice would then be the same as that under the present law. What the Irish Members contended was that, with regard to the present exemption, the tribunal proposed by the Bill was one of a highly objectionable character. What was the nature of it? The tribunal to settle the question of exemption was, according to the statement of the Chief Secretary to the Lord Lieutenant, to be the Lord Lieutenant himself. There had been an expression of opinion in favour to the good intentions of the right hon. Gentleman the Chief Secretary for Ireland; but he (Mr. Biggar) would beg leave to point out that in the early part of the term of Office of the late Chief Secretary (Mr. W. E. Forster) it was customary for hon. Members to praise the right hon. Gentleman to quite as immoderate an extent as it was now the custom to praise the present Chief Secretary for Ireland, so that in course of time they might find that the present Chief Secretary for Ireland was doing no better than his Predecessor. However, he hoped for the best. He hoped they would have reason to be satisfied with the administration of the present Chief Secretary for Ireland, although he must point out it was a very awkward thing for hon. Members to bestow immoderate praise on an official until they had had time to form an opinion upon his real merits. As to the evidence to be given in the case of exemptions, the right hon. Gentleman told them that it was not to be given by persons connected with the locality. That was, no doubt, right, because the parties locally interested would be the very persons who would wish to get themselves exempted from the payment of the taxation. They were told that Mr. Samuel Hussey, the agent of Lord Kenmare, who was a Member of the Government, had said that he would keep three particular "suspects" in prison to the end of the Coercion Act, because they were members of the Land League. Such a man as Mr. Hussey, being the agent of a Member of the Government, would, no doubt, have immense influence with the Government. The Earl of Kenmare was not only a Member of the Administration, but rather a prominent Member of the great Liberal Party; and if persons of that kind were to be allowed to influence the Lord Lieutenant of Ireland the Irish people would be in a very unsafe position. But, even supposing that no influence was exercised upon the Lord Lieutenant by Members of the Government, or that influence was not exercised upon them in an unfair and dishonest manner, they would have the Clifford Lloyds and Major Bonds of Ireland still to exercise influence upon them. In speaking of Major Bond, he was an official who had been dismissed from the Police Force in Birmingham for wilful and corrupt perjury. They would have such gentlemen as this influencing the Lord Lieutenant in deciding against the exemption under this clause. He contended that the evidence, or information, or advice these people would supply to the Chief Secretary for Ireland would be private, and of a kind that the people would have no means of combatting or answering in a public manner, so that the real facts might be arrived at. If the Government allowed these questions of exemption to come before the Judges, the cases would be heard in open Court; they would be fully argued on both sides, and the decision arrived at would be made public, and would, of course, be subject to the influence of public opinion. But that could not be the case if the Amendment was not accepted; the only way in which the decision of the Lord Lieutenant could be reviewed would be by raising Questions in this House, and the reply they would get from the Chief Secretary for Ireland would simply be, "The Lord Lieutenant acted upon information from reliable sources — upon statements of the highest credibility and importance." They would never know upon what His Excellency founded his opinion. The Irish Members thought the Government were perfectly injudicious from their own point of view. No doubt, it was a very desirable thing, from their point of view, that they should have someone to adjudicate in a public manner on a matter of this kind, and take the responsibility from their shoulders—a responsibility that would be of an exceedingly unpleasant character.

Question put.

The Committee *divided*:—Ayes 223; Noes 43: Majority 180.—(Div. List, No. 188.)

Mr. HEALY said, he thought it would be to the convenience of the Committee if the Government would state what Amendments remaining on the Paper they were prepared to accept. Some of these Amendments were of a character that the Government might very reasonably accept. No doubt, in making this request, he was going beyond his province in moving the next Amendment; but, at the same time, he thought it would facilitate Business if he endeavoured to elicit a statement from the Government. His proposition was to insert, after the word "area," the following Proviso:—

> "Provided, That the charge payable by any district under the provisions of this section shall not exceed the rate of sixpence in each pound of the rateable value of such district."

This seemed to him a very liberal Amendment, when it was known that the average rate of the Grand Jury cess was 1*s.* No doubt, it had got up to 1*s.* 10*d.*, but the average rate was 1*s.* He did not think his Amendment was extravagant, but considered it was very reasonable and adequate, and he trusted the Government would be able to accept it. As he had said, there were a number of other Amendments to the clause, some of which were only of a formal character. The hon. Member for Sligo (Mr. Sexton) had a proposal with regard to publication in *The Dublin Gazette*, and there were some others of that sort, and it appeared to him, if they got a statement from the Government that they were willing to make concessions on these, they might easily get through the clause to-night.

Amendment proposed,

> In page 7, line 42, after "area," insert—"Provided, That the charge payable by any district under the provisions of this section shall not exceed the rate of sixpence in each pound of the rateable value of such district."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Mr. PARNELL said, perhaps he might be allowed to explain, as to the sub-section that stood in his name at the end of the Amendments on the clause, that he did not intend to proceed with it just now. It was in these terms—

"The occupier of any premises subject to any charge payable under this section, and who is liable to pay a rent in respect of the same, may deduct from such rent one-half of such charge."

He proposed to defer that Amendment until they came to Clause 17, upon which it would be more suitably brought under discussion. Clause 17 gave a description of "district," and made provision as to the raising of the charge; therefore, he would be able to raise his point more satisfactorily upon that clause than upon the present.

MR. TREVELYAN said, he should be prepared to make some concession with regard to the Amendments remaining upon this clause. This was a collective question, and he would give a collective answer. The only Amendment, however, that they were prepared to accept was that of the hon. Member for Sligo (Mr. Sexton), which was in these words—

"Every order declaring a district chargeable under this section shall be published in the Dublin Gazette, and shall be laid before Parliament within fourteen days after the making thereof if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."

At least, if they could not accept the whole of that Amendment, he thought it reasonable that the Lord Lieutenant should give notice of every order declaring a district chargeable. Any of the other Amendments would, if they were accepted, very seriously interfere with the efficiency of the clause, and he must, therefore, oppose them.

MR. HEALY said, he had asked the Government, for the purpose of saving time, whether they could not accept another Amendment of the hon. Member for Sligo (Mr. Sexton), namely—

"One month at least prior to making any order charging any district or portion of a district as aforesaid, the Lord Lieutenant shall cause to be published in the Dublin Gazette, and in two other newspapers circulating in such district, notice of his intention to make such order and of its effect, and any ratepayer or ratepayers of such district may at the prescribed time and in the prescribed manner, within such period of a month, appear before the Lord Lieutenant either personally or by counsel or solicitor, and show cause against the making of such order or any portion thereof, and the Lord Lieutenant may thereupon at the expiration of such period of a month either confirm or suspect such order, or vary or otherwise modify its terms as to him shall seem just."

If they could not accept the whole of the Amendment, he thought it reasonable that the Lord Lieutenant, at any rate, should be obliged to give notice of the intention to make the order. The Government surely did not mean to say that the Lord Lieutenant was not to give notice before he taxed a particular man, who might have to sell his crops or his cattle, or to get rid of some of his marketings, before he could pay the sum he was charged.

MR. SEXTON said, he hoped the Government would reconsider their answer, at least as far as concerned the Amendment moved by the hon. Member for Wexford (Mr. Healy). If they were content to accept this Amendment, he had no doubt it would greatly improve the efficiency of the clause. What they desired was that the Irish people should not be taken by surprise. As would be seen, the Lord Lieutenant would still have complete discretion, and the efficiency of the clause would not be impaired.

MR. J. LOWTHER said, he thought the announcement of the right hon. Gentleman the Chief Secretary was a very proper one. The Amendment he proposed to accept, and which he (Mr. Lowther) thought could be very reasonably accepted, was a sufficient concession to make. It would not be fair, on the part of the Committee, to insist upon the right hon. Gentleman making any further concession.

MR. TREVELYAN said, the Committee, he believed, were really considering at this moment the Amendment of the hon. Member for Wexford, providing that a charge payable by any district under the provisions of this section should not exceed the rate of sixpence in each pound of the rateable value of such district. That Amendment the Government could not accept. He had given the general intentions of the Government as to this clause, and he had stated they did not wish to make it operative upon any individual. It was a general clause, for the punishment, to a certain extent, and also for the protection of a district. If the rate charged was very heavy indeed, it would no doubt amount to something very like persecution; but, hitherto, rates of this kind had not been excessive, and the Government could not consent to have their hands tied in the matter.

MR. T. P. O'CONNOR said, he should like to put a question to the right hon. Gentleman as to the statement he had made; he had said the rate had never proved excessive. Was the right hon. Gentleman aware that in one district in Roscommon the fine was actually equal to the valuation of the farms in that district. The valuation, speaking roughly, was a very fair standard of the rating in Ireland; and, accordingly, in that particular case, the farmers were compelled to pay a sum equal to the fair rental. Would the right hon. Gentleman consider, before the Report stage, whether some words could not be introduced calculated to tie the hands of the officials so far that they would not be able to charge such an exorbitant rate as would be equal to the valuation?

Mr. HEALY said, that the right hon. Gentleman could not be aware, from his short experience of Ireland, that the average of the general poundage for the half-year was only a shilling; was it, therefore, too much for them to ask that the charge for extra police should not be more than sixpence? If the Government refused Amendments of this character, it simply meant obstinacy on their part—obstinate refusal to allow reasonable Amendments to enter into their heads at all.

Question put, and *negatived.*

Mr. SEXTON said, he begged to move the Amendment which stood next on the Paper in his name.

Amendment proposed,

In page 7, line 42, after "area," insert "every order declaring a district chargeable under this section shall be published in the Dublin Gazette, and shall be laid before Parliament within fourteen days after the making thereof if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

Mr. TREVELYAN said, they had already accepted an Amendment with regard to publication in *The Dublin Gazette.* If the present Amendment were amended by leaving in simply the words "every order shall be laid before Parliament within fourteen days after the making thereof," he would accept it. Would the hon. Member withdraw the Amendment?

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 7, line 42, after "area," insert "every order shall be laid before Parliament within fourteen days after the making thereof."—(*Mr. Sexton.*)

Question, "That those words be there inserted," put, and *agreed to.*

Mr. HEALY said, he could move the Amendment which came next equally well on the 17th clause; therefore, he would not trouble the Committee with it.

Mr. SEXTON said, he would now move his second Amendment.

Amendment proposed,

In page 7, line 42, at the end of Clause, add the following sub-section:—"One month at least prior to making any order charging any district or portion of a district as aforesaid, the Lord Lieutenant shall cause to be published in the Dublin Gazette, and in two other newspapers circulating in such district, notice of his intention to make such order and of its effect, and any ratepayer or ratepayers of such district may at the prescribed time and in the prescribed manner, within such period of a month, appear before the Lord Lieutenant either personally or by counsel or solicitor, and show cause against the making of such order or any portion thereof, and the Lord Lieutenant may thereupon at the expiration of such period of a month either confirm or suspend such order, or vary or otherwise modify its terms as to him shall seem just."—(*Mr. Sexton.*)

Question proposed, "That the proposed sub-section be there added."

Sir WILLIAM HARCOURT said, he could only repeat what he had said before, that it was quite plain that the efficiency of the clause might depend upon their being able to put it into operation in an emergency without delay.

Mr. SEXTON said he did not wish to put the Committee to the trouble of a division.

Mr. T. D. SULLIVAN said, the right hon. and learned Gentleman had said that immediate action might be necessary; and so it might be from the right hon. and learned Gentleman's point of view. Then, would he give the people affected by this transaction the right of appeal, even after action had been taken? That, he thought, was a very fair question.

Sir WILLIAM HARCOURT said, that, of course, any person who thought himself aggrieved would have power to apply to the Lord Lieutenant, and to show that there had been some error made. It was inherent in the very nature of the thing that people should be able to make such application; and it did not require any clause or Amendment to confer the right. The Lord Lieutenant would make an order, and if any innocent person were injured thereby, he could appeal to the Lord Lieutenant, who would consider the application in the ordinary way.

Amendment, by leave, *withdrawn.*

Mr. HEALY said, the next Amendment was in his name, as follows:—

> "There shall be published monthly, in the Dublin Gazette, a return showing the number of additional constabulary employed pursuant to this section, the district or districts in which they are respectively employed, and a statement of the cost or approximate cost to each district resulting from such employment."

He did not suppose there would be any serious objection to this proposal; when the Government had stated that they could only accept one Amendment, he was sure they had omitted to notice this one.

Amendment proposed,

> In page 7, line 42 at end, add the following sub-section: — "There shall be published monthly, in the Dublin Gazette, a return showing the number of additional constabulary employed pursuant to this section, the district or districts in which they are respectively employed, and a statement of the cost or approximate cost to each district resulting from such employment."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

Mr. TREVELYAN said, the Government were never afraid of publicity where it did not hurt individuals, or give rise to that kind of criticism that was injurious to the Public Service. He should have preferred not to have enlarged the Bill in this way; but his right hon. Friends around him saw no objection to granting the Amendment, therefore he would not oppose it.

Question put, and *agreed to.*

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 193; Noes 37: Majority 156.—(Div. List, No. 189.)

And it being a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress; Committee to sit again *To-morrow.*

And it being Six of the clock, the House was adjourned without Question first put till *To-morrow.*

HOUSE OF LORDS,

Thursday, 29*th June,* 1882.

MINUTES.]—*Sat First in Parliament*—The Lord Robartes, after the death of his father.

Public Bills—*First Reading*—Local Government (Ireland) Provisional Order (No. 4) * (171).

Committee—Cathedral Statutes Amendment, *now* Cathedral Statutes * (163-170); Tramways Provisional Orders (No. 3) * (149).

Committee — Report — Entail Scotland) (115-169); Lunacy Regulation Amendment * (160).

Report — Local Government Provisional Order (No. 8) * (146).

Third Reading—Local Government (Ireland) Provisional Orders (No. 5) * (153); Lunacy Districts (Scotland) * (117), and *passed.*

ENTAIL (SCOTLAND) BILL.—(No. 115.)

(*The Earl of Rosebery.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

The Earl of ROSEBERY: My Lords, with regard to this Bill, I beg to propose that it should go into Committee *pro formâ* only, for it is not our intention to proceed with it to-night. My reason for doing that is, that we have received a great number of suggestions from private individuals and influential public bodies, which we conceive to be of great importance, and ought to be embodied in the Bill. We have, therefore, prepared Amendments, which we shall submit to your Lordships; but, as there are many of them fresh clauses, and other Amendments of great detail, I ask your Lordships to allow the Bill to go into Committee *pro formâ,* in order that the Bill may be printed with the Amendments we propose to introduce. Another reason for the postponement is this, that the writers to *The Signet* in Edinburgh — as your Lordships are aware, a legal body of the highest standing—have given very careful consideration to this Bill, and they have some suggestions to make upon it.

The Earl of CAMPERDOWN: My Lords, before this Bill goes into Committee *pro formâ,* I wish, according to my Notice, to make a few remarks on the Returns relating to Scotch Entails recently presented to the House; but I must first thank the noble Earl (the

Earl of Rosebery) and the Scotch Office for the expedition with which those Returns have been prepared. The Returns which have just been furnished to the House appear to me a very valuable commentary indeed upon the various Acts which have been passed with the view of facilitating the disentailing of property. They exhibit very surprising results. On the 1st August, 1848, when the first disentailing Act came into operation, there were in existence 2,189 entails. After a period of 30 years, during which another and rather important Act has been passed, the result has been that entails, instead of diminishing in number, show a slight increase. It seems to me that this result is very strange. If your Lordships will refer to the Returns, you will see that during the first few years after the Act came into operation the number of entails did slightly fall away; but, at the same time, the number of entails which was created was fully equal to that which was destroyed. In the year 1875 an Act was passed by the noble and learned Earl opposite (Earl Cairns), and during the first three or four years after that Act came into operation it seems to have had a considerable effect. After that, the effect appears to have passed away; and, at the present time, the proportion between entail and disentail appears to be about the same. The total result is, that, after an experience of more than 30 years of the operation of the Disentail Acts, we find the total number of entails has increased. Instead of 2,189, as there were in 1848, there are now 2,350. Surprising as that result may appear, it becomes far less surprising upon further consideration. Parliament has never pronounced itself actively opposed to the policy of entail, so far. All that it has done has been to give facilities for disentailing. But, on the other hand, there is a numerous and very powerful body of the learned Profession, whose interest lies in the very opposite direction; and the result has been that they have been far more successful hitherto in tying up land than the efforts of Parliament have been in liberating it. Until Parliament sees fit to pronounce itself in a much more positive manner as to the policy of entail—for instance, by introducing a provision in this Bill to repeal the Act of 1875—I do not think that any of the existing Acts, including the Bill which has now been presented to the House, are likely to produce very much effect in the way of diminution of the number of entails.

THE DUKE OF ARGYLL: My Lords, in regard to the observations which have fallen from my noble Friend (the Earl of Camperdown), the thanks of the House are due to him for calling attention to the facts; but he has, I think, omitted to notice this. He speaks of the policy of entail; but he must remember that the Statute of 1848, and still more the Bill which is now under the consideration of the House, will alter altogether the nature of entail. Entail under the old Scotch system was an entail for ever, under the strictest possible limitation. There was no limit to the time, but there were the closest and most stringent limitations of the man in possession as to the use of his land. Under the Act of 1848, large additional powers were given for getting rid of the old entail; and I may mention that I got rid of my own entail under it, and I now hold under fee simple. Power was also given by that Act to make a new entail; but those who made it were under an entirely different system of law. The law and the policy of entail, therefore, was one thing at one time and another thing at another. If the Bill now before the House, in the charge of my noble Friend below me (the Earl of Rosebery), is passed, no doubt, in future, people can entail their land. But it will be entirely optional. In this Bill, very much as in the case of the English Bill passed at the instance of the noble and learned Earl opposite (Earl Cairns), every man who entails his land in future will be able to sell it with the consent of the Court; and the effect will be this—that, in the future, entail will not mean holding the land in an unsaleable condition. Therefore, the policy of entail, of which my noble Friend spoke as one and the same in all these periods of time, will be entirely altered. I will only say that most of the arguments against entail have been urged on behalf of the agricultural interest. It has been said that entailed proprietors cannot manage their land to advantage. As far as I can see, if this Bill is passed, and the English Bill also is passed by the other House, as it has already passed this House, that objection, at any rate, will be done away with. In future there will be no one who cannot sell his land for the purpose of improvement, and therefore the agricultural objection will fall to the ground. There are, of course, other objections to entail, but we should clearly understand what they are. If it is desired, by persons who object to entail, to strike altogether at the hereditary principle, of course you will prohibit the entail of land as you would prohibit the entail of personal property, of money, or jewels, or other things, and in that view the propriety of doing so cannot be denied. If it is the object to destroy absolutely the continuity of family life in Scotland, then, undoubtedly, you will abolish the limited powers of settlement which it is still contemplated to preserve in this measure. What I would point out, however, is that that is a totally different object to that of freeing the land for the purpose of agricultural improvements.

THE EARL OF ROSEBERY: My Lords, I could have wished this discussion had been somewhat more prolonged, because I think it raises a point of very great interest, not merely to Scotland, but to the community at large. I am grateful to my noble Friend (the Earl of Camperdown) for raising it, because I think it is well that the points he has raised should be discussed, and that there should be no concealment or reticence about it. The noble Earl seemed to draw one conclusion, and that was that all the efforts of entail legislation had been practically abortive and inefficacious in checking the number of entails; and though the answer of the noble Duke (the Duke of Argyll) was perfectly complete so far as regards the policy of entails, in showing that the nature of the entails now made was perfectly different from that of the entails formerly made, yet I think that is not the whole of the answer which may be made to the noble Earl. Since the noble Earl gave Notice of his intention to call attention to the question, I have gone with some care into the Returns which I laid before the House, and they appear to me to have a different bearing upon legislation than that placed upon them by my noble Friend, for what do I find as bearing on the question of legislation as regards the number of entails? Since the Rutherfurd Act of 1848, which was cited by my noble Friend, and justly cited, as one of the great Acts which have modified the entail system of Scotland, 34 years have passed since then; and, if the contention of my noble Friend is right, there ought to be as many entails made in these 34 years as in the 34 preceding the Act. Nay, considering that large estates have been broken up, and the growth of population and wealth has been enormous, we might fairly expect to see some considerable increase in the number of entails made since 1848. What is the result? Why, quite the reverse, for whereas in the 34 years preceding 1848, 866 entails were made, in the 34 years succeeding the Rutherfurd Act there were only 701, so that the number was actually one-eighth less. I will not, however, attribute that to the Act of 1848 alone. There was a very important Act passed in 1868 modifying the existing Law of Entail. In the six years previous to the Act of 1868 there were 152 registered entails; and in the six years subsequent to that Act 104 entails were concluded. Then I come to the Act of 1875, which was passed by the late Government. Then, I am bound to say, there is a very small increase in the years which have elapsed since that Act passed as compared with the years preceding it. In the six years preceding 1875 there were 104 entails, in the six years subsequent to the Act there were 111, showing an increase of seven. But, my Lords, the figures are very considerably modified when we take another fact into account, and take the number of disentails before and after that Act. In the six years prior to the Entail Act of 1875 there were 97 disentails, and in the six years which followed the Act no less than 151. I need not further obtrude upon your attention, but I wish to point out, as I think it is important, that the action of these Entail Bills has been successful and satisfactory, not merely in modifying, but in reducing the number of entails. With regard to the general remarks made by the noble Duke, I beg to be allowed to offer my humble concurrence. The effect of the Bill before your Lordships' House is this—that, for the future, no entailed property need remain entailed any longer than a man wishes; and I confess I cannot see that we can go much further in that direction with any considerable advantage. Of course, it would be open, as I think my noble Friend hinted, to introduce a clause repealing the Act of 1875. Personally, I should have no objection to that course; but my noble Friend knows very well that, after all, the entail which would be left, and which it would be open for everyone to make under the operation of this Bill, would furnish a simple and innocuous form of settlement as regards the land of this country. Therefore, I do not think it would be necessary to deal with that Act.

Earl CAIRNS: I understand the noble Earl opposite (the Earl of Rosebery) to ask us to go into Committee *pro formâ*, in order that he may put some Amendments in the Bill. Therefore, it would be premature to enter into any discussion of the provisions as it now stands until we see how far the Bill may be modified by the Amendments.

House in Committee (according to order); Bill *reported* without amendment; amendments made; Bill *re-committed* to a Committee of the Whole House on *Monday* the 10*th of July* next; and to be *printed* as amended. (No. 169.)

PARLIAMENT—ORDER OF BUSINESS—QUESTIONS — PRECEDENCE OF MINISTERS.—RESOLUTION.

The Earl of LIMERICK, in rising to move—

> "That all Questions of which Notice has been given by any Peer who holds or has held any of the offices of Lord Chancellor of England, Lord President of the Council, Lord Privy Seal, First Lord of the Treasury, Secretary of State, or First Lord of the Admiralty, do take precedence of all other Orders of the Day and Notices,"

said, his complaint was directed to Questions, and not to Notices of Motions. In "another place" the Questions asked must not be accompanied by remarks which might give rise to debate, but the rule in their Lordships' House was different. Any noble Lord putting a Question might make observations upon it, and debates might and did arise. He would further remind their Lordships that, according to the Rules of their House, Questions put without Notice, or after private Notice, might be asked before the time when the Notices on the Order Paper were taken. There had been protests against such a course on the part of those who came down to the House later, not expecting that Questions would be put. He ventured to suggest that it was very important that, whenever possible, Questions should appear in print upon the Notice Paper of the House, and then any noble Lord would see them and be able to take part in the debates arising upon them. The result arising from the present practice was that noble Lords in Office or who had held Office were often deterred from giving public Notice of very important Questions, fearing that if they were to do so their Questions might not be reached until a late hour, when the number of noble Lords present would possibly be small. Inconvenience, too, was often caused by this practice of asking Questions without Notice, because, when they gave rise to debate, noble Lords, who would have taken part in the discussion if they had known that the subject would be brought forward, were either absent from the House or unprepared to speak. In answer to the possible argument that the change proposed might give an undue advantage to occupants of the Front Bench, he thought that would be counterbalanced by the convenience the arrangement would be found to give to all Members. He did not think the House would adopt the rule which obtained in "another place" of putting Questions without prefatory remarks; but it would be well to adopt his Motion, and, if possible, to have the Questions printed. In that case, noble Lords would be induced to give Notice of important Questions more often than at present, and the inconvenience of which he complained would less frequently arise. He would conclude by moving his Resolution.

Moved, That all questions of which notice has been given by any Peer who holds or has held any of the offices of Lord Chancellor of England, Lord President of the Council, Lord Privy Seal, First Lord of the Treasury, Secretary of State, or First Lord of the Admiralty, do take precedence of all other Orders of the Day and Notices."—(*The Earl of Limerick.*)

Earl GRANVILLE said, he must acknowledge that they ought to be grateful to any Member of their Lordships' House who might make suggestions with a view of facilitating the progress of Business, especially with respect to giving Notices of Questions. At the same time, he must say that, though he had been many years in that House, the inconvenience against which the noble Earl (the Earl of Limerick) wished to guard had never impressed him. But, even if it really existed, he should be very sorry indeed to agree with his noble Friend as to the remedy which he proposed. In that House, though there were different grades of Peers, they were all equal, they had all the same right and the same privileges, and he should object greatly to the creation of privileges for a special class. He ventured to think his noble Friend would do wisely in withdrawing his Motion.

Motion (by leave of the House) *withdrawn.*

OXFORD UNIVERSITY COMMISSION.

RESOLUTION.

THE EARL OF CAMPERDOWN, in moving—

> "That the case of the University of Oxford Commissioners in regard to a statute made by them for the University of Oxford concerning the nomination of examiners, as presented to the Universities Committee of the Privy Council, and as argued before that Committee, be laid upon the Table of the House."

said, that there would be no difficulty in doing what he asked, because the case in question had already been laid before the Privy Council. He had also to say that he had no objection to include "the chancellor, masters, and scholars of the University of Oxford" in the Motion as proposed by the noble Marquess opposite (the Marquess of Salisbury).

Motion *agreed to.*

Ordered, That the case of the chancellor, masters, and scholars of the University of Oxford, and the case of the University of Oxford Commissioners in regard to a statute made by them for the University of Oxford concerning the nomination of examiners, as presented to the Universities Committee of the Privy Council and as argued before that Committee, be laid upon the Table of the House.—(*The Earl of Camperdown.*)

EGYPT—ARABI PASHA.

QUESTION. OBSERVATIONS.

LORD DE L'ISLE AND DUDLEY rose to ask the Secretary of State for Foreign Affairs, Whether it is true that Arabi Pasha has been decorated with the Grand Cordon of the Medjidié, and has further received a letter from the Sultan approving his conduct in the present Egyptian crisis? The noble Lord said, that, in putting the Question, he had no wish to embarrass the Government, or to add to the difficulties against which they had to contend; but the fact that a few days ago Arabi Pasha had received the Grand Cordon of the Medjidié from the Sultan, the highest honour it was in the power of the Sultan to bestow, and also communications highly approving his conduct, was a matter of such great importance that both the House and the country, he thought, was entitled to ask for some information on the subject from Her Majesty's Government. It appeared to him that the misfortunes which had befallen Egypt were entirely due to the policy of Arabi Pasha, and the disturbances at Cairo and Alexandria, and the massacre of Europeans about a fortnight ago within sight of our Fleet might be attributed to the same cause. There had been an exodus of Europeans flying for their lives, leaving behind all their goods and property, and quitting those industries and occupations which they had done so much to develop, and which had tended so much to the wealth and improvement of Egypt, and that exodus was plainly attributable to the action of Arabi. Threatened as all these Europeans had been with the fate of their countrymen, he very much doubted whether they would ever return to that country in the same numbers; and one thing was certain, and that was that if they did return, it would be with very different feelings towards the Government to those which they had entertained before. Some time ago—he believed in January—Her Majesty's Government had sent a Note to Egypt, in which they stated their intention of supporting the Khedive, and he hoped and believed Her Majesty's Government would not depart from that intention, and that at the proper moment they would exact due reparation for what had been done; but, at the present moment, there was really no Government or law in Egypt, but the country was at the mercy of one man, and he a successful military dictator. It might be said that the whole policy and diplomacy of Europe had been directed against that man, and especially, then, that of England and France was directed against one individual—namely, Arabi Pasha; and when they heard that that man had been received with high honour by the Sultan, and that a Conference was sitting to consider and settle the affairs of Egypt, which Conference had not yet received the sanction of the Sultan of Turkey, in his opinion it was a matter of grave and serious consideration. The noble Lord concluded by asking the Question of which he had given Notice.

Lord STANLEY of ALDERLEY said, he rose to deprecate piecemeal discussion, and pressure being brought upon Her Majesty's Government to increase the very serious risks of war. This was at variance with a Notice of a Motion by another Member of the Conservative Party in "another place" in an opposite sense, with which he (Lord Stanley of Alderley) agreed entirely. The noble Lord (Lord De L'Isle and Dudley) had spoken of the Europeans who had been driven from Egypt, and who had increased the wealth of that country. The riot had been begun by Greeks and Maltese, and the greater number of the people killed had not been Europeans properly so-called, but Greeks and Levantines. The last Blue Book had given a list of the enormous quantity of Europeans in the Egyptian Civil Service, who drew an annual sum of £369,000. Since the Control was established, they had settled like locusts in the country; an Indian official, who was in Egypt a year ago, had told him (Lord Stanley of Alderley) that the quantity of foreigners in the Egyptian Service was so great that he felt certain that state of things could not last. It was out of all proportion to the number of Europeans employed in any Province of India. He had not before spoken on this subject, so he would take that opportunity of saying that he thought Admiral Sir Beauchamp Seymour was to blame for having allowed any of his officers and men to land, and thus running the risk of a collision when the population was already excited; the Admiral had not allowed anybody to land on a former and similar occasion, when he had been in command of a squadron of four ships of war.

Earl GRANVILLE: My Lords, I am always very glad to have any support in the difficult circumstances in which we are placed, and I am very much obliged to my noble Friend (Lord Stanley of Alderley) who has just spoken for throwing his shield over me on this occasion. But I am bound to say, although I did not catch everything that fell, yet in that portion which I did hear, there was nothing said by the noble Lord opposite (Lord De L'Isle and Dudley) with which I can in the least quarrel. I have only to state, in answer to the Question of the noble Lord, that we have information as to the giving of the decoration to Arabi Pasha, though we have not received any as to a letter of approbation.

House adjourned at half past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 29th June, 1882.

MINUTES.] — Private Bills (*by Order*)—*Third Reading*—East and West Yorkshire Union Railway *; West Metropolitan Tramways *, and *passed.*

Public Bills—*First Reading*—Somersham Rectory * [222].

Committee—Prevention of Crime (Ireland) [157] —r.p. [*Twenty-first Night*]; Partnerships (*re-comm.*) [179] [House counted out].

Committee — *Report* — Corn Returns (No. 2) * [193]; Public Offices Site (*re-comm.*) * [221].

Considered as amended—Elementary Education Provisional Orders Confirmation (West Ham, &c.) * [196]; Petty Sessions (Ireland) * [203].

Third Reading—Highway Rate and Expenditure * [209], and *passed.*

QUESTIONS.

ARMY—DRUNKENNESS.

Mr. CAINE asked the Judge Advocate General, The number of punishments of all kinds inflicted on soldiers stationed at Aldershot during the year 1881; how many of these are for drunkenness; what are the number of soldiers usually stationed at Aldershot; and, what are the number of licensed public houses and beer houses within the district of Aldershot?

The JUDGE ADVOCATE GENERAL (Mr. Osborne Morgan): I must ask the hon. Member to postpone his Question. The Official Returns respecting the first portion of it have not yet come to hand,

EGYPT—THE PAPERS.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, With reference to the last paragraph of No. 200, in the Egyptian Papers No. 7, where is Sir E. Malet's telegram to be found as to the desirability of Turkish co-operation?

SIR CHARLES W. DILKE: It was not thought advisable, in the interests of the Public Service, to publish the text of the telegram to which my hon. Friend refers, though Lord Granville communicated the substance of it to the French Government for their information.

MR. BOURKE: Was that at the time it was received?

SIR CHARLES W. DILKE: I think so; but I will refer to the date and tell the right hon. Gentleman afterwards.

MR. ONSLOW: Are there any other telegrams or despatches which have not been published by Her Majesty's Government?

SIR CHARLES W. DILKE: Certainly, Sir; undoubtedly so—a considerable number. As I informed the House, the reason of the delay in publishing the Papers was that the despatches had to be referred to Foreign Governments for their consent to publication. In a large number of cases despatches were taken out in deference to their views.

POOR LAW (IRELAND) — JAMES CALLAGHAN, CASTLEREA UNION.

MR. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Mr. James Callaghan, late master baker in the Castlerea Union Workhouse, applied to be superannuated while in the service of the union; whether it is true that notice was duly taken of the application by the Board of Guardians, and a motion on the subject made before Mr. Callaghan left the service of the union; whether the Board of Guardians voted a superannuation allowance of £10 per annum in recompense of twenty-four years of faithful service; whether the Local Government Board, in refusing to sanction this allowance, decided on the merits of the case or on a mere technicality; and, whether Mr. Callaghan had failed to do any act, or did any act, which in equity deprived him of a claim to superannuation?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): The Chief Secretary for Ireland is prevented by public affairs from attending at the House of Commons at Question time to-night, and I am asked to request those hon. Members who have addressed Questions to him to postpone them until to-morrow night?

LAW AND POLICE — THREATENING LETTERS—CASE OF MR. JOHN CUNNINGHAM.

MR. HEALY asked the Secretary of State for the Home Department, If the detectives called upon Mr. Cunningham in reference to a threatening letter because he was a Government employé; if not, whether it is usual for them to call on other members of the public whom they suspect of crime to question them thereupon; whether he can state any previous cases of detectives taking this course; and, if he approves of their conduct?

SIR WILLIAM HARCOURT: No, Sir. This inquiry was not made at all because Mr. Cunningham was a Government *employé*. The police made the usual inquiries, and I am perfectly satisfied with their conduct.

MR. HEALY said, the Home Secretary had not answered the latter part of his Question. Were there any previous cases?

SIR WILLIAM HARCOURT: I really do not know; but I should think it was a very common occurrence.

NAVY—THE MEDITERRANEAN FLEET.

SIR JOHN HAY asked the Secretary to the Admiralty, Whether the light-draught armour-clads, H. M. S. "Cyclops," "Gorgon," "Hecate," and "Hydra," are considered by the Admiralty sufficiently sea-worthy to proceed to the Coast of Egypt, if required?

MR. CAMPBELL-BANNERMAN: My right hon. and gallant Friend asks me to state to the House the opinion of the Admiralty as to the sea-going qualities of a certain class of ships. I would suggest that as he will have an opportunity of discussing the question and of communicating his views to the House when the Shipbuilding Votes are brought on in Committee of Supply in the course of a short time, it will be more convenient to defer giving him an answer till that occasion.

EMIGRATION TO THE UNITED STATES OF AMERICA—FRAUDS ON EMIGRANTS BY FOREIGN STEAM SHIP COMPANIES.

Mr. MOORE asked the President of the Board of Trade, Whether it is a fact that emigrants are being fraudulently booked through to American ports, from London and elsewhere, by agents of Foreign lines, under the impression, distinctly conveyed in the advertisements, that they are to be carried direct to their destination, whereas, in fact, they are taken to Continental ports, and there transhipped into Foreign vessels; and, what steps have been taken to check this practice?

Mr. CHAMBERLAIN: I understand that emigrants are booked through by the agents of foreign lines from ports in this country to American ports, and are conveyed to their destinations *viâ* Antwerp and Rotterdam. The advertisements issued by two of these lines, which I have seen, do not make it clear that a passenger taking his ticket in London will be taken to Antwerp and Rotterdam, and there transhipped; but the contract ticket is endorsed, "*viâ* Great Eastern Company's steamers to Antwerp." The cost of proceeding to Antwerp is not extra; and, as far as my present opinion goes, the practice cannot be described as fraudulent. The Board of Trade has made inquiries into the subject at different times, and the whole Correspondence is at the service of the hon. Member if he will be good enough to call at the Board of Trade. If the hon. Member has any information beyond that possessed by the Board of Trade, I should be very glad if he would communicate it to me.

EGYPT (DIPLOMACY, &c.) — EARL GRANVILLE AND M. CHALLEMEL-LACOUR.

Mr. GIBSON asked the Under Secretary of State for Foreign Affairs, Whether, inasmuch as it appears that Her Majesty's Secretary of State for Foreign Affairs did not tell the French Ambassador—

> "That he had never thought (the joint Note mentioned in Despatch of 17th January by M. Challemel-Lacour) would be of the slightest use,"

as published in the Yellow Book, Her Majesty's Government have taken any steps to remove the misconception under which the French Government appears to labour on the subject?

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether any steps have been taken by Her Majesty's Government to correct the misapprehension of the French Government relative to the alleged statement of Earl Granville to M. Challemel-Lacour, "that he had never thought" the joint Note to the English and French agents at Cairo, which was proposed by the French Government, and signed by Her Majesty's Government, "could be of the slightest use," and which statement, conveyed in M. Challemel-Lacour's Despatch of the 17th of January last, has been published in the Yellow Book on the affairs of Egypt, just presented to the French Chamber; and, if no such steps have already been taken, whether Her Majesty's Ambassador at Paris will be instructed to deny the accuracy of the words imputed to Lord Granville by M. Challemel-Lacour; and, whether the statement which appears in the same Despatch, of the 17th January, and which precedes the words attributed to Lord Granville quoted above, that Lord Granville considered the Collective Note as "a purely Platonic encouragement, not conveying the promise of any action,"

> "Lord Granville entendait en effet que la Note Collective ne devait être considérée que comme un encouragement purement platonique qui n'impliquait la promesse d'aucune action,"

correctly conveys the views expressed by Lord Granville at his interview with M. Challemel-Lacour; and, if not, whether Her Majesty's Government will also cause an official denial of it to be communicated to the French Government?

Sir CHARLES W. DILKE: The answer to the Question of the right hon. and learned Member for the University of Dublin, and to the first part of the Question No. 22, is in the affirmative. [Mr. Gibson: When?] The day before yesterday. The despatch was written as soon as the Yellow Book had been read by Lord Granville. With regard to the second portion of the latter Question, in a despatch to Lord Lyons, Lord Granville repudiates the inferences drawn by M. Challemel-Lacour from the conversation which he held with His Excellency.

MR. GIBSON: Does Lord Granville say what he meant?

SIR CHARLES W. DILKE: The answer I gave yesterday is the best answer I can give to that Question.

MR. BOURKE: Were the despatches in the Yellow Book communicated to Her Majesty's Government?

SIR CHARLES W. DILKE: Not conversations. I have already stated that it is not the practice to communicate conversations to Governments.

ARMY (INDIA)—DESPATCH OF TROOPS TO EGYPT.

MR. BURT asked the Secretary of State for India, Whether there is any truth in the report that preparations are in progress for bringing our Indian troops to interfere in the internal affairs of Egypt?

THE MARQUESS OF HARTINGTON: On Monday last my right hon. Friend the Secretary of State for War was asked a Question of a somewhat similar character with regard to the preparations which, it was stated, were going on at home. My right hon. Friend, with, I think, the general approval of the House, stated that he must, in the interest of the Public Service, decline at present to give any answer to the Question. I think that almost precisely the same considerations apply to the Question which has been asked by the hon. Member for Morpeth. I hope he will believe that it is not from any discourtesy to him that I am unable to give any other reply than that given by my right hon. Friend the Secretary of State for War. I have no other reply to make with regard to the similar Question of the right hon. and gallant Member for the Wigtown Burghs (Sir John Hay) which also stands on the Paper.

SIR WILFRID LAWSON: I must give my hon. Friend the Secretary to the Admiralty an opportunity of saying whether he will answer my Question or not. It is, Whether he can inform the House of the reason for the preparations and expenditure which are reported to be going on in Her Majesty's Dockyards in connection with the transport of Troops?

MR. CAMPBELL-BANNERMAN: I am not aware of the particular reports to which my hon. Friend refers. The *Orontes*, which sails to-day, takes out strong drafts of Marines to strengthen the Force in the Mediterranean Fleet; but I may state generally that no unusual expenditure has been incurred in the Dockyards in connection with the transport of troops.

EGYPT—THE POLITICAL CRISIS.

EARL PERCY (for Mr. GORST) asked the Under Secretary of State for Foreign Affairs, Whether Mr. Cookson, on the 12th September 1881, called the attention of Her Majesty's Government, by telegraph, to the danger which then existed of anarchy and disturbance in Egypt, and suggested the solution of the difficulty by a Special Commission from the Porte; whether a Copy of this Despatch was transmitted direct to the Embassy in Paris; and, whether there is any objection to the text of this telegram being laid before Parliament?

SIR CHARLES W. DILKE: Mr. Cookson's despatch of September 14, No. 10, in "Egypt No. 3" of this year, gives a narrative of events on that and the two preceding days, and contains, as will be seen by reference to it, the substance of his telegram of the 12th. The telegram was sent to Paris on the 13th for communication to the French Government.

MR. BROADHURST asked the First Lord of the Treasury, Whether there is any truth in the statement, which has obtained currency among working men, that the Government are going to use force and incur expenditure in Egypt? The hon. Member pointed out that there was an omission from the Question on the Paper. What he wished to ask was whether the Government were going to use force "in order to secure the British bondholders from anticipated losses?"

MR. GLADSTONE: No. I do not know whether the hon. Member wishes me to give any answer bearing on the case of the bondholders. They have, from all appearances, considerable means of taking care of themselves. With respect to the other part of the Question, I am only able to refer to a previous declaration made by Her Majesty's Government as to the principles and objects on which they had proceeded in regard to the Egyptian question; because it is impossible on general grounds, irrespective of present circumstances, for the Government to give further answers.

MR. RICHARD asked the First Lord of the Treasury, Whether, before employing the Naval and Military forces of this Country to maintain in Egypt the rights of the Sultan, of the Khedive, of the people of Egypt, and of the foreign bondholders, the Government will give this House an opportunity to consider whether it is desirable to employ our forces for these purposes?

Mr. GLADSTONE: This likewise is a Question in which my hon. Friend seeks to revive a subject that has often supplied matter of debate in this House; and, as my hon. Friend knows, he cannot expect any deviation from the course pursued, when I state that it has never been in the power of the Government to give a pledge of this kind to obtain the judgment of Parliament in cases where it may have been their duty to assume responsibility for their acts.

Sir H. DRUMMOND WOLFF, who had given Notice of his intention to ask the First Lord of the Treasury, Whether Her Majesty's Plenipotentiary at the Conference will be instructed to advocate that, within the limits of International obligations, the people of Egypt shall have some Constitutional control over their own affairs? said, that perhaps it would be more convenient that he should postpone this Question for a week, on the understanding that, if it was not desirable that he should then put it, that he would again postpone it. He, however, begged to give Notice that, on the earliest occasion that the Business of the House permitted, he should move—

> "That an humble Address be presented to Her Majesty, praying that no agreement may be entered into for the permanent settlement of affairs in Egypt that will not provide for securing the free and uninterrupted navigation of the Suez Canal, whether in time of peace or in time of war; and, secondly, for the maintenance of the privileges of the Egyptian people and the recognition, under existing international obligations, of the sovereign authority of the Sultan and of the right of the Egyptian people to be controlled by their representatives in the management of their public affairs."

STATE OF IRELAND—MURDERS OF MR. J. H. BLAKE AND SERVANT AT LOUGHREA.

Mr. J. LOWTHER: I do not see the Chief Secretary in his place, but I daresay one of his Colleagues can answer the Question I wish to put. I have to refer, first of all, to a Question I addressed to the Chief Secretary yesterday, inquiring whether the Government were in possession of any information with regard to the alleged murder of a caretaker near Tralee, and whether the person alleged to be murdered was the same person whose life had been attempted a short time ago? I would further ask the Government whether they have any information respecting the sad rumour which has obtained circulation this evening as to another diabolical crime in Ireland which resulted in the murder of two persons in the county Galway?

Sir WILLIAM HARCOURT: In reply to the right hon. Member's first Question, I have to state that the Government have received no information with regard to the subject to which it refers. As to the second Question, I regret to have to state that the rumour is only too well founded. I have received the following telegram from the Crown Solicitor of Loughrea, in which he says:—

> "John Henry Blake, the Marquis of Clanricarde's agent, and his steward, Ruane, were shot this day, quarter-past 11, within half an English mile of this town. The wall was loopholed, and the murder must have been arranged. Mrs. Blake was on the car with her husband, coming to mass here."

Mr. GIBSON asked whether any arrest had been made?

Sir WILLIAM HARCOURT: No. I have also received another telegram from Colonel Brackenbury, dated from Dublin Castle, in which he says—

> "Following telegram just received from Sub-Inspector Barry, Loughrea. John H. Blake, Esq., Rathville, agent to the Marquis of Clanricarde, and Thady Ruane, shot dead within half a mile of Loughrea, at 11.30. Police and military now in porsuit. No arrest."

LAW AND POLICE—SEIZURE OF ARMS IN CLERKENWELL.

Mr. PLUNKET: I desire to ask the right hon. and learned Gentleman a Question of which I have given him private Notice. It is, Whether it is true, as stated in the newspapers, that the rifles seized at Clerkenwell recently have the same stamp upon them as the rifles found near the scene of the murder of Mr. Bourke and Corporal Wallace, and the rifles seized in Clare some time ago?

Sir WILLIAM HARCOURT: I find that the rifles seized at Clare on the 9th of January were all stamped near the butt with a shamrock similar to that upon those seized in London, and on the stock, close to the lock-plate, there is a further stamp of "g.g." in small letters, and I find that both the Sniders used in the murder of Mr. Bourke and Corporal Wallace were similarly stamped with a shamrock.

NATIONAL GALLERY (SCOTLAND) — ACCUMULATED FUNDS.

MR. DICK-PEDDIE asked the Financial Secretary to the Treasury, If he will state what is the amount of accumulated funds in the hands of the Trustees of the National Gallery of Scotland; and, whether it is in the power of the Trustees to apply these funds to the purchasing of works of art?

MR. COURTNEY: The accumulated funds in the hands of the Board of Manufactures, who have charge of the Scotch National Gallery, amount to about £42,000, having risen to that amount from about £30,000 in 1869. The Board have power, with Treasury consent, under Section 2 of the Act 10 & 11 *Vict.* c. 91, to apply these funds to the purchase of objects calculated to aid education in the Fine Arts.

ELEMENTARY EDUCATION (SCOTLAND) — THE ISLAND OF LEWIS — THE SCHOOL BOARD AND THE CROFTERS.

DR. CAMERON asked the Vice President of the Council, How much money levied by the Chamberlain of Lewis, as an addition to their rents, upon crofters whose children had failed to earn the Government Grant, had been handed to the different School Boards of that Island; and, whether, considering that the levy of eighteen shillings per defaulting child as an addition on rent is illegal, he will instruct the School Boards to return to their respective owners whatever sums they have received from this source?

MR. MUNDELLA: The notice from the Chamberlain of Lewis was dated the 8th of March last, since which date no grant has been paid to any school in Lewis, and, consequently, no loss can have accrued to the school boards. If the levy referred to is illegal—as to which I can offer no opinion—it may be resisted by ordinary process of law. The Department has no information as to any payment to the school board, nor has it power to order a school board to refund any sum, from whatever source received.

POST OFFICE—THE NORTH OF ENGLAND AND THE WELSH MAILS.

SIR JOHN JENKINS asked the Postmaster General, What steps, if any, have been taken towards accelerating the earlier delivery of letters between the North of England and South Wales; and, whether, in view of the great inconvenience caused to manufacturers and merchants by the present mode of conveying the Mails, as frequently expressed by them both by deputations and memorials to the Postmaster General, he will without further delay cause the Mails to be conveyed by some other route, so as to ensure earlier delivery of the letters between the places above referred to?

MR. CAINE asked the Postmaster General, If, in reference to the largely expressed wishes of the iron, tinplate, and other trades in Liverpool, he will make such arrangements in acceleration of the Mail Service between South Wales and Liverpool, as will enable letters posted in South Wales by the evening post, to be delivered in Liverpool by the first post on the following morning?

MR. FAWCETT: I can assure my hon. Friends that the importance of accelerating the mail service in both directions between South Wales and the North of England is fully recognized. At the present time we are careful to make use of the best train service available; and I shall be extremely glad if any arrangements can be made with the Railway Companies which would improve the postal service in the manner indicated by my hon. Friends.

LANDLORD AND TENANT (IRELAND)— MR. ARTHUR O'CONOR, OF ELPHIN, AND HIS TENANTS.

MR. O'KELLY asked the First Lord of the Treasury, Whether his attention has been called to the action of Mr. Arthur O'Conor, of the Palace Elphin, in serving a number of his tenants with writs on Saturday the 17th, the day on which the Land Court fixed their judicial rents; whether he is aware that Mr. O'Conor, by threats of eviction, forced a number of his tenants to accept settlements; whether he is aware that Mr. Commissioner Roche, in giving judgment in the case of Mr. O'Conor's tenants, declared in open court that Mr. O'Conor's property was rack-rented; and, whether the Government will take any steps to protect persons applying to the Land Court from action by the landlord?

Mr. GLADSTONE: With respect to this Question, I have to say that my attention has not been called to the action of Mr. O'Conor; and I may say generally that my attention has not been called, and could not compatibly with my other duties well be called, to the acts of particular landlords in their relations with their tenants. Her Majesty's Government are not aware of any steps that they can take for protecting persons applying to the Land Court in the manner suggested in this Question.

TRADE AND COMMERCE—THE DUTY ON SPANISH WINES.

Mr. BARCLAY asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government is prepared to offer to the Government of Spain to admit Spanish wines on the scale of duty suggested by him in his Budget speech of 1880, provided the Spanish Government will give this Country the benefit of the most favoured nation tariff; and, whether the Government has considered how far the trade of this Country is suffering in consequence of the much higher duties being levied on British goods than on those of France and some other countries?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone): Her Majesty's Government are neither directly nor substantially at issue with the Government of Spain upon any question relating to the scale of duties adopted in this country; but they have been compelled to signify to the Government of Spain that the finances of this country do not admit of any reduction of those duties at the present time, while they have also signified that they are not unwilling to approach the question at a time when the finances are in a more favourable condition. With regard to the rest of the Question, with regard to the "Most Favoured Nation Clause," and whether any advantage could be obtained for the Spanish market by a reduction of the Wine Duties, Her Majesty's Government have never yet arrived at the conclusion that it would be safe or desirable to purchase by financial changes, and possibly by financial sacrifices in this country, the privilege of equality, if it be equality, in the markets of a foreign State. The adoption of that principle in the case of one particular foreign country might lead to very inconvenient consequences affecting our commercial relations with many other foreign States.

PARLIAMENT—PUBLIC BUSINESS—THE PREVENTION OF CRIME (IRELAND) BILL.

MINISTERIAL STATEMENT.

Mr. GLADSTONE: Before the Clerk proceeds to read the Order of the Day for proceeding with the Prevention of Crime (Ireland) Bill, it may be convenient that I should state that Her Majesty's Government have become sensible of the great difficulties in which the House is placed in respect of its time, and the remaining time of the Session. We shall endeavour to get on as far as possible with the clauses of the Prevention of Crime (Ireland) Bill in Committee during the present week, even if it entails the necessity of asking the House to-morrow to prolong its Sitting further than usual.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[Bill 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 28th June.*]

[TWENTY-FIRST NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART III.

General Powers.

Clause 16 (Power of Lord Lieutenant as to compensation, to be paid in certain cases of murder or maiming).

Mr. HEALY moved, in line 1, after the word "appears," to insert "from information on oath and in writing."

Amendment proposed,

In page 8, line 1, after the word "appears," to insert the words "from information on oath and in writing."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Mr. SEXTON said, that he supposed that it was necessary that someone should rise upon that point and say something in order to enable the Government to say whether they would accept the Amendment or not. His hon. Friend the Member for Wexford (Mr. Healy) proposed that the Lord Lieutenant should not initiate an inquiry into a case for compensation unless he should have first obtained information on oath and in writing. He (Mr. Sexton) supported the Amendment because he considered it necessary for the safe-working of the clause.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, that the Government had no objection to the Amendment.

Question put, and *agreed to.*

MR. GIBSON proposed, in page 8, line 2, to leave out the word "otherwise," and after the word "person," to insert "business or property." He said, that the Amendment was one of very considerable importance, and he desired to present to the Committee in a few observations the nature of its importance and what the mischief was which he sought to grapple with. At present, and, unfortunately, for many months past, one of the greatest crimes and the gravest outrage they had had to deal with in Ireland was that which was known as "Boycotting." A man who was "Boycotted" was prevented from earning his bread or working his farm; prevented from following his ordinary pursuits or aims in life; and the object of this Amendment was to make provision for compensation in these cases as well as in those of murder or maiming. At present the clause recognized that if a man was murdered his family were entitled to compensation, and also that if a man was maimed he was entitled to compensation himself. The condition which had to be satisfied before the compensation was awarded was this—that the murder or maiming was the result of a crime of the character known as agrarian or arising out of the proceedings of any unlawful associations. His Amendment took up these words and left them in the Bill, but he contended that they did not go far enough to grapple with one of the gravest engines which had brought about the present crisis; and, in addition to the clause they had already passed, it was necessary to give to the Lord Lieutenant the power to award compensation to a man who, by the action of his neighbour, had yielded to the terrorism and the action of an unlawful organization, or, taking up the words of the Bill, "had been murdered, maimed, injured in his person, or ruined or damaged either in his business or property." That was the scope of the Amendment he had to propose, and if it was assented to by the Government it would make "Boycotting" more difficult and more expensive. It was very desirable to teach those persons who indulged in this cowardly practice, and who up to the present time had been able to ruin many victims, or impoverish them day by day, that if they adopted this course in future they would be treated as criminal offenders, and that the locality in which it occurred would be put to the expense of compensating the persons who were "Boycotted."

Amendment proposed,

In page 8, line 2, to leave out the word "otherwise," and, after "person," insert the words "business or property."—(*Mr. Gibson.*)

Question proposed, "That the word 'otherwise' stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that the Government could not accept the Amendment of his right hon. and learned Friend, and for this reason—the proposition was that the compensation should be extended to injuries to business or property. Now, the word "property" was, for all practical purposes, already covered by the Grand Jury Act; and with reference to business, the Amendment would be impracticable. It would be impossible to apply the clause to injuries which a man might sustain with regard to his business. Injury to business would be so utterly remote that he did not think that it would be possible for a jury to ascertain and assess approximately what damage might have been done to a man's business beyond the injury done to his property, which came within the scope of the Grand Jury Act. He was quite satisfied that it would not be possible to carry out the intention of the Amendment, and to reduce the damages in such cases to a matter of pounds, shillings, and pence.

MR. SYNAN said, he was surprised that so able a man as his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) should submit such a proposition to the Committee, knowing that there was already a provision in the Bill which met the case of "Boycotting," and that compensation for injury to property could already be dealt with under the Grand Jury Laws. The present section only proposed to give power to the Lord Lieutenant as to compensation to be paid in certain cases of murder and maiming, and it would be most injudicious to extend it to injury done to property or to a man's business. How was it possible for the Lord Lieutenant to enter into the business engagements of every man in Ireland who applied for compensation? It might be necessary, if the Amendment was adopted, to appoint a Commission in every district in Ireland in order to ascertain what injury, remote, consequential, or immediate, had been inflicted.

Mr. PLUNKET remarked, that, so far as the objection of the hon. Member who had just sat down went, there was a very obvious answer to it. The hon. Member in question had said—"Why not stand by the old provisions of the law passed in former times for the protection of persons against injury done to their property?" His (Mr. Plunket's) answer was, that the particular evil which the Amendment of his right hon. and learned Friend and Colleague sought to deal with was an entirely new evil brought about since the Grand Jury Act was passed. The object of the Amendment of his right hon. and learned Friend was to strike directly, to strike strongly, and to strike promptly against the evil of "Boycotting." Another reason for not falling back on the process under the old law was that the damages would have to be assessed by the Grand Jury Act, and that involved a long and tedious delay. If they really wanted to deal with this fearful terrorism, this fearful way of enforcing the decrees of the unlawful associations against whose transactions the present clause was directed, they must find some means of teaching those who attempted to ruin a man in his property or business, that they might be made sufferers in a similar way. As to the objection of his right hon. and learned Friend the Attorney General for Ireland, he could not say that he considered it conclusive by any means. The right hon. and learned Gentleman had said that there would be a great difficulty in ascertaining in every case the precise amount of damages which ought to be awarded. So there must be in every case of assessing damages both with regard to loss of life and maiming. Of course, that would be difficult at all times; but they were about to intrust the Lord Lieutenant with the power to appoint at an exceptional time a Commission, if he thought such a step necessary, in order to investigate such matters. For his own part, he (Mr. Plunket) would not say whether it would be more difficult to investigate the claim for compensation in the one case than in the other. He submitted to the Government with great respect and earnestness that the Amendment of his right hon. and learned Friend, if introduced into the Bill, would strike directly against the methods and motives which had actuated those who had pursued those criminal courses intended to be dealt with by the Bill. It would strike a blow at them by impressing upon them the certainty that they would very speedily be obliged to suffer themselves in exactly the same way that they had been endeavouring to make their fellow-subjects and fellow-citizens suffer, and with impunity, for so long a time.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, that the Act of 1870 dealt with injuries to the person, and that Act was amended by the Act of 1871; but neither in the one case nor the other was it proposed to interfere in the case of damage to property.

Mr. GIBSON remarked, that "Boycotting" was quite new.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) admitted that "Boycotting" was, to a certain extent, new; but, if the Amendment was introduced into the Bill, it would leave the worst classes of "Boycotting" untouched, because the damages in such cases could not be assessed. The "Boycotting" of a shopkeeper might be a very serious matter; but it was one of those cases in which it would be altogether impossible to assess the amount of injury done. How could they assess the injury done to a man because other persons abstained from spending money which they otherwise might have spent? In such cases it would be utterly impossible to place any pecuniary value on the amount of the loss. It would be impossible in many cases to assess the pecuniary damages in the cases to which the Amendment was intended to apply, and any Commission attempting investigation would be liable at every stage of their inquiry to be imposed upon, and any advantage which might be derived from the clause would be counterbalanced.

MR. TOTTENHAM said, that there seemed to him to be one or two practical reasons why the Amendment of his right hon. and learned Friend should be accepted by the Government. The Committee might not generally be aware of the mode in which compensation was obtained by persons under the Malicious Injuries Clauses of the Grand Jury Act. Suppose the malicious injuries had taken place immediately after the Summer Assizes in the month of July, then no levy could be put on the county in respect of them until the following March Assizes, and the amount awarded was left unpaid to the persons who had suffered the injuries until the next succeeding Assizes. Consequently, the period of a year, at least, elapsed between the time the crime was committed and the penalty was imposed upon the district. That seemed to him to be a very strong reason in favour of the Amendment, the aim of which was a prompt and speedy retribution upon the district in which the offence had been committed. He certainly could not understand why so reasonable an Amendment should not be accepted by the Government, and he hoped that it was not too late for them to alter their decision.

COLONEL COLTHURST said, he thought that the same objection applied to this proposal which applied to the clause in general—namely, that it involved the levying of a tribute upon a district. He would not, however, enter into that point, but accepted the argument of the right hon. and learned Gentleman (Mr. Gibson) in regard to the cruel, cowardly, and disgraceful nature of "Boycotting," which he, however, thought had been specially provided for by the 4th clause of the Bill. He was perfectly convinced that there would be no "Boycotting," when the people who desired to resort to it knew that they were rendering themselves liable to six months' imprisonment with hard labour. He believed that they would be much more careful in the future how they affixed their signatures to important documents which involved "Boycotting."

MR. J. LOWTHER said, that the hon. and gallant Gentleman opposite (Colonel Colthurst) had talked of a person guilty of an act of "Boycotting" being liable to a sentence of six months' imprisonment. Of course, any person who was the promoter or instigator of that species of crime should be dealt with in the most summary manner; but the provision of his right hon. and learned Friend was intended to deal with a different class of persons—namely, the sympathizers, the aiders, and the abettors in the crime of "Boycotting," but who had not been included in the indictment against the principals concerned in the crime. He trusted that the Government would reconsider their apparent hostility to the Amendment, and endeavour to produce the impression upon the people of Ireland that, in the view of Government and Parliament, "Boycotting" was a heinous offence. In his (Mr. Lowther's) opinion, "Boycotting" was a crime which should be dealt with as a crime not only against those who were the principals in carrying it out, but also against those who were accessories in that most obnoxious practice. It was desirable that in every way the practice should receive the marked disapprobation of the Legislature. Either the Solicitor General for Ireland or the Attorney General for Ireland had referred to the Malicious Injuries Clauses of the Grand Jury Act. Those learned Gentlemen would be perfectly well aware that the mode of procedure under that Act was extremely cumbrous. As had been pointed out by his hon. Friend (Mr. Tottenham), that had often been a matter of complaint whenever a proposal to amend the Grand Jury Laws had been under consideration. The machinery of the Grand Jury Act was of the most cumbersome character, and was totally inadequate to deal with cases of the kind now under consideration. The delay which would be incident to any reference to a tribunal constituted by that Act would deprive the section of any good effect. Indeed, in many cases a reference to the clause of the Grand Jury Act would reduce the provision to an absolute farce. He hoped that the Government would not so far depreciate the capacity of the tribunal they themselves proposed to create by declaring that it would be incapable of determining what the value of an injury to a person's business was. To hear the way in which the right hon. and learned Gentleman opposite had spoken of it, it might be imagined that, under the clause as it now stood, it would be for the tribunal simply to determine that persons who had been murdered or injured were entitled to compensation under a distinct scale—so much for a life and so much for a limb. The Government must be perfectly aware that the tribunal would have to go into a variety of abstruse questions in settling the claims of the family of a person murdered, just as it was necessary now to enter into a similar inquiry where damages were to be assessed in consequence of railway accidents. The tribunal would have to be constituted in such a manner as to render it capable of dealing with these complicated questions. He hoped that, after the discussion which had taken place, the Government would not omit this opportunity of impressing, once for all, on the people of Ireland that Parliament regarded "Boycotting" as a distinct crime, and not as a venial offence, and that it would be dealt with by the provisions of the Act as any other crime was dealt with.

Sir WILLIAM HARCOURT said, that it was not because the Government regarded "Boycotting" as a venial offence, or that they desired to depreciate the tribunal about to be constituted, that they were unwilling to accept the Amendment; but the hon. Members who pressed the Amendment must consider this fact. There was no doubt that the charge upon a district was what must be called an extraordinary charge, and it was necessary to take care that it should only be made use of for purposes that were likely to command public sympathy and approval. At present, the clause was confined to cases where a man had been murdered or maimed or otherwise injured in his person. In all those cases he thought the Committee would agree with the Government that public sympathy and approval would be in favour of throwing the charge for compensation upon the locality; but if they went beyond that—and although the right hon. and learned Gentleman had only referred to "Boycotting," there were, of course, a great number of other injuries to property, such as the burning of houses, which would come under the Amendment—he was afraid that they would not command public sympathy and approval. Many of these injuries to property, as had been already pointed out, were expressly provided for by the Grand Jury Act, and, in his opinion, it would be entirely unwise and impracticable to refer to a special tribunal created *ad hoc* all offences of malicious injury to property which might arise. It would be a very difficult task for a new tribunal to pick out special injuries produced by "Boycotting," and assess the amount of damage sustained. It would be in the highest degree impolitic, he thought, to transfer the functions already possessed by the Grand Jury to a new tribunal. He had no desire whatever to depreciate that tribunal, which would have to deal with the most important questions; but, on the other hand, everyone must feel that injury inflicted by "Boycotting," although very severe, was one singularly subtle, and peculiarly difficult to ascertain or assess by a money standard. Therefore, without any desire to depreciate the heinousness of the offence of "Boycotting," or the nature of the tribunal about to be constituted, the Government were unable to accept the Amendment.

Mr. GIBSON said, that he felt the force of some of the observations which had been made in reference to the drafting of the Amendment, and it might be possible to present the views he held in a way that would make them less open to the possibility of objection; but he desired to point out that this evil of "Boycotting" was one of the most insidious, mischievous, and far-reaching evils that was ever found in any country, and it was the duty of the Legislature to discover some means of grappling with it. The evil advanced slowly, but with certainty, and in a way hardly to be traced until the victim was absolutely ruined. The evil results of the practice were to be seen in the murder recorded but yesterday from Tralee. In that case a man, a caretaker on a "Boycotted" farm, had been looking after his master's property and attending to it. He was also in charge of the herding of the farm, and, indeed, was the only person in charge; in fact, he was the sole means by which that "Boycotted" farm could be made worth anything whatever to the owner. This caretaker, now killed, had been fired at previously, within the previous three weeks. By his death the farm was rendered absolutely worthless for the time being to its proprietor, because, being a "Boycotted" farm, nobody would take it for some months to come. He thought it was a scandal to the laws of the country that they were not able to provide some method by which the owner of that farm should be saved from the ruin which must overtake him should that farm be his only means of subsistence. That was a distinct proposition. It was a scandal to our laws if they allowed law-abiding citizens to be ruined because Parliament was not able to discover a method of compensation or protection in such cases. He would take another case which had been mentioned to the House within the last two months. It was a case which occurred in Tipperary, where a loyal citizen gave to the Government for the purposes of law and order permission to erect a police hut on his ground. He was "Boycotted" in consequence, and all his farm labourers and domestic servants left him. He (Mr. Gibson) had been since informed that the man, who was not a man of large means, had been reduced to the greatest possible straits because he had done as any law-abiding citizen ought to do—namely, to give permission to the Executive Government to build a house for the police employed in maintaining law and order. Was it to be tolerated that they were to be told that Parliament was unable to discover a method by which such a man could be saved from ruin for doing what every right-minded person ought to do? It had been said by the Attorney General for Ireland that the object he (Mr. Gibson) had in view was already provided for, so far as injuries to property were concerned, by the Grand Jury Act. The 136th section of the Irish Grand Jury Act did provide the means whereby the Grand Jury could assess damages for injuries to property, but in no sense did that section grapple with such cases as those to which he wished by the present Amendment to apply. It was confined, as his right hon. and learned Friend knew very well, to the particular class of property specified within the four corners of the Act, and the whole machinery of the Act was confined to that particular class of property. Moreover, the working of the Act was extremely cumbrous, and unless the punishment of "Boycotting" was speedy, the remedy provided for the offence would be lost. The old remedy provided by the Grand Jury Act was subject to such a vast variety of checks that to carry it out in these cases would, in some instances, be to contribute to "Boycotting" rather than to punish it. In the Amendment which he submitted to the Committee he did not propose to vary a single condition of the Government clause, but only said that when there was a loss of property or business occasioned by a crime of the character commonly known as agrarian, and arising from the decrees of unlawful associations, it was not unreasonable that some provision should be made for the person who was ruined, although he might not have been actually murdered or maimed. It might be, of course, in some cases difficult to apply the remedy he proposed, and in some cases impossible. But, be it so, he was willing to leave the clause entirely as it stood, enabling the Lord Lieutenant to dismiss any claim if he thought fit, and only to award such compensation as he thought just. He was willing to leave the widest possible discretion to the Executive Government in the matter, and if it was thought by the Executive that no compensation should be given for losses which were difficult or impossible to assess upon reasonable or judicious lines, he would not object. He should consider very carefully the provisions of the Grand Jury Act and those of the Bill before the Committee, and should deem it his duty to again present his Amendment, if not in the same form, yet with the same meaning, at the next stage of the Bill.

Sir HARRY VERNEY supported the Amendment, because he was of opinion that the crime of "Boycotting" could not be committed without the tacit assent of the neighbourhood in which it took place, and, therefore, it was peculiarly a case for imposing a penalty upon the locality. He believed that it was the opinion of the Committee that "Boycotting" ought to be most severely punished, and he knew of no better method of punishing it than by inflicting a pecuniary fine upon the district in which it occurred.

Mr. O'SHAUGHNESSY said, that his objection to the Amendment was that, instead of preventing, it was calculated to increase "Boycotting." He hoped that "Boycotting" would be to a great extent prevented by the operation of the Bill. It might exist to some extent. It was a very contagious crime, which might be fostered in various ways by members of secret societies if heavy penalties were imposed upon particular localities. He believed that the Legislature would find itself utterly powerless in endeavouring to prevent "Boycotting" from being carried out by secret societies, and if they worked upon the people by means of fear it would simply exasperate them and increase their demoralization. He thought that the Government could not afford to extend too wide the principle of making a district pay for the crimes and misdemeanours committed within it. They might carry out the principle to such a point as to inflict a great injustice upon innocent people, and by that means they would demoralize them, and induce them to look upon "Boycotting" with indifference. The Committee would do well to take care that they did not over-do the principle of making the people of a certain district pay for the crimes of their neighbours. If they did, they would inevitably create a feeling of exasperation which did not now exist, and increase an evil they were anxious to put down. It must not be forgotten that there were other provisions in the Act which would effectually put down "Boycotting," and he hoped that the Committee would pause before they accepted the proposal of the right hon. and learned Member for the University of Dublin (Mr. Gibson).

Sir WILLIAM HARCOURT said, he hoped that, as the right hon. and learned Gentleman had intimated his intention not to press his Amendment, but to introduce it again upon the Report, that the Committee would now be allowed to go on with the remainder of the clause.

Mr. HEALY said, he wished to point out who the Obstructives in this case were. The complaint had constantly been made against the Irish Representatives by the Chief Secretary to the Lord Lieutenant that when the Government had given their decision and had expressed a desire to bring the discussion to an end, the Irish Members constantly reopened the question. Now, it appeared to him (Mr. Healy) that that was a charge which would be more fairly directed against the Tory Party; because whenever the Government gave their decision and desired that there should not be a prolonged discussion, some Member of that Party rose time after time, after the decision of the Government was given, and insisted upon keeping up the debate. As far as he was concerned, if he believed that the Lord Lieutenant would carry out the provisions of the Bill in a proper and fair manner, he should have no objection to the Amendment, and he would tell them why. An enormous number of persons who had been injured in their property and business would be tenants who had been evicted from their holdings, and if it were shown that they had sustained injury in consequence of being evicted from their holdings, they ought, under this Amendment, to be entitled to compensation. So, also, in the case of the relatives of the unfortunate child murdered a short time ago by the police. That was a case in which persons had been put out of their holdings, and the Coroner's Jury had appended to their verdict the statement that the police had acted with gross inhumanity in preventing the erection of huts for their shelter. If the Lord Lieutenant took into consideration all these cases, as well as those of injury to the property of the landlord, he would have no objection to the Amendment. But he knew that the Lord Lieutenant would do nothing of the sort. He was glad, however, that the Amendment had been proposed, because the answer given to-day was the same which Irish Members had employed against the clause as a whole—namely, that it would be found impossible to assess the damages in these cases. And why? Because there must be a judicial investigation. If a man was injured in his business they could only inquire into it by means of a judicial investigation. But the Government despised judicial investigation. If there were a judicial investigation for the purpose of inquiring into the injuries to property and business, they might insist upon a similar judicial investigation for cases of murder and maiming. He contended that in the cases of murder and maiming it was impossible to assess the damages on any known principle. The present Solicitor General for England (Sir Farrer Herschell) had brought in a Bill to abolish actions for breach of promise, because, he said, that it was impossible to assess the amount of damage which might be done to the feelings of an individual. In the case before them, the new tribunal would be called upon to assess the damages done to the feelings of individuals, and which could not amount to anything else. On the same ground, he thought that the Lord Lieutenant ought to hold an inquiry wherever the tenant and his family had sustained injury by being evicted from holdings.

MR. NEWDEGATE said, that the hon. Member for Wexford (Mr. Healy) had many times complained that the right of eviction was an abuse. He (Mr. Newdegate) entertained a different opinion, and he hoped that the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) would press his Amendment. His own conviction was that the only way of restoring order in Ireland, and the only way of protecting life and property, was to resort to the old Saxon Law, and fine the district in which the crime was committed. That was the old law of England, and he could see no hardship in applying it to Ireland, because he believed that it was only by putting that pressure upon the inhabitants that they would be convinced of the serious criminal character of these offences.

MR. T. D. SULLIVAN said, that it seemed to him that one very good reason against the adoption of the Amendment was that, under it, the most extraordinary claims might be put forward for compensation. Suppose, for instance, the case of a shopkeeper, whose business had fallen off considerably—he might imagine that he had been "Boycotted." Would he, then, have the right to go to this tribunal and claim compensation on account of a falling-off in his business, and which falling-off might have arisen from a very different cause than that of "Boycotting?" He might have sold bad whiskey, bad snuff, or bad tobacco. Were the public to make good his loss in the way of trade, on account of his allegation that he had been "Boycotted," and that, therefore, his business had declined? He was afraid that the adoption of the Amendment would land the Executive Government into a great amount of difficulty, and that it would create a vast amount of confusion; and that, instead of doing any good, it would intensify whatever evils were alleged to exist.

Amendment, by leave, *withdrawn.*

MR. SEXTON (for Mr. T. P. O'CONNOR) moved, in page 8, line 2, after the word "otherwise," to insert the word "seriously." The clause would then read—

> "Where it appears that any one has been murdered, maimed, or otherwise seriously injured in his person."

The adoption of this Amendment would guard against any claim for compensation being allowed in cases where the injuries had been of a trivial character. There were many cases in which trivial injuries might be made the subject of compensation.

Amendment proposed, in page 8, line 2, after the word "otherwise," to insert the word "seriously."—(*Mr. Sexton.*)

Question proposed, "That the word 'seriously' be there inserted."

SIR WILLIAM HARCOURT said, that there could be no legal meaning given to the word "seriously." If the hon. Member wished to confine the class of aggravated injuries against persons, that was already done by the clause, and there was no necessity for accepting the Amendment. Of course, injuries of a very trivial nature were not likely to be regarded by the Lord Lieutenant.

MR. HEALY said, that the right hon. and learned Gentleman had stated that there was no legal meaning to the word "seriously." That was the argument which the Irish Representatives had pressed on the right hon. and learned Gentleman with regard to the word "intimidation." Nevertheless, they could not succeed in inducing him to confess that there was no legal meaning for that word. Intimidation was, therefore, agrarianism. The argument of the right hon. and learned Gentleman was no argument at all. He (Mr. Healy) thought the Amendment was a very reasonable one. A man might have his little toe injured, and claim £1,000 in consequence, and go to law to recover it; but the question as to damages was always a matter for assessment by the jury. In this case there was no jury. It was to be a tribunal to be appointed by the Lord Lieutenant. Would the right hon. and learned Gentleman say whether a medical assessor would be attached to that tribunal, to ascertain whether the injuries complained of were serious or not?

Mr. DILLON said, he hoped that his hon. Friend would go to a division on the Amendment. The Home Secretary had not given the slightest intimation of what he meant when he said that there was no legal meaning attached to the word "seriously," as connected with injuries against the person. Surely the right hon. and learned Gentleman had no intention of levying fines on a district except in cases where aggravated injuries had been inflicted. Suppose a case of this kind happened, and which really did happen last winter in the county of Cork. A number of boys began to shout in the street, and a few of them threw some stones. A man was hit, and, out of pure spite, he went home to bed, and laid up for a fortnight. Then he came forward and said that he was seriously injured. Now, in a case like that, was compensation to be awarded? Would the Lord Lieutenant go down and satisfy himself that everybody claiming compensation in Ireland had really been injured? He did not see what reasonable objection the Government could have to the insertion of this word.

Mr. MARUM remarked, that he did not think that the right hon. and learned Gentleman need object to the insertion of the word "seriously," because the legal justification for the word "injury" was that it should have been a serious injury. A trifling injury would not be sufficient to justify action under the clause.

Mr. MITCHELL HENRY wished to know whether the hon. Members opposite would class the cutting-off of the hair of a young woman as a serious injury to the person? [*Cries of* "Yes!"]

Sir WILLIAM HARCOURT would say at once that what the Government meant by the words they had put in the clause was that any injury to the person might go before the tribunal. It would be the business of the tribunal to assess the injury, and the Government had no desire to limit its operations in that or any other direction. The Government desired that all injuries, of whatever kind, should go before the tribunal, and that the tribunal should assess the damages.

Mr. CALLAN said, that his hon. Friend the Member for Kilkenny (Mr. Marum) had a legal mind—of course, if any case came before him, he would decide whether the injury was of a serious nature or not. But it was not specified that the new tribunal was to be composed of barristers. The Lord Lieutenant might, for instance, appoint Mr. Clifford Lloyd to assess the damages. Further, the hon. Member (Mr. Mitchell Henry) had started another objection, or, rather, had made an inquiry, by asking whether the cutting-off a young lady's hair could be considered a serious damage? It was very probable that the hon. Member for Kilkenny (Mr. Marum), being a married man, might not apply the same test of damage as the hon. Member for Galway (Mr. Mitchell Henry), who was still in the market.

Mr. MITCHELL HENRY appealed to the Chair, whether the language applied to him by the hon. Member was regular?

The CHAIRMAN said, that he was sorry to say that the words of the hon. Member for Louth had not reached him.

Mr. CALLAN said, that he had only called attention to the fact that one Member was married, and that the other was unmarried. He was sorry to say that he did not see any prominent Railway Director present. He thought that they would be the most fit judges of cases of this kind with regard to which it was proposed to limit the claim for damages to serious injury. Only the other day there was a sensational account in the daily newspapers of a serious accident, which occurred North of Peterborough. It was stated that one of the Members of the House of Commons had been seriously cut, maimed, and wounded; but, nevertheless, he saw that same hon. Member perambulating the Lobbies yesterday as if there was nothing the matter with him. Now, would that be regarded as a case of serious injury? A Railway Director would be one of the best judges who could be selected for prescribing what serious injury should mean. They all knew that whenever a railway accident occurred, there was an enormous number of applicants who stated that they had been injured, or that their nervous system had been shattered. But in many cases the claim for injury was not made until after some weeks of deliberation, and then generally by the advice of a lawyer. The statement then usually was that the nervous system of the applicant had been shattered, that there had been a concussion of the brain, but that the symptoms had not manifested themselves immediately. [*Cries of* "Question!"] This was the question. The question was, what was serious injury? and his object was to protect the Irish ratepayers from being called upon to pay heavy damages for trifling injuries. Was a mere scratch of the nail, or a black eye, to be considered a serious injury? Suppose two men were going home, and they got into a scrimmage, and the next morning they said that an agrarian outrage had been committed, and exhibited a black eye or a bruised nose, were those injuries to be regarded as serious and fit subjects for the consideration of the tribunal under this clause, although they might have been obtained in a scrimmage or by falling through a hedge? He hoped that the hon. Member (Mr. Sexton) would divide on the question.

Mr. SEXTON said, that the right hon. and learned Gentleman (Sir William Harcourt) had referred to the difficulty of defining the word "seriously;" but the difficulty of definition pervaded every department of human life. Nothing since the world began had yet been accurately defined; but the new tribunal would fully understand what was meant by a trivial injury, and what was meant by a serious injury, and would readily distinguish the difference between them. He would ask that right hon. and learned Gentlemen, who was an adept in definitions, to supply some words in the clause which would save the tribunal from being pestered with frivolous cases, and the ratepayers from having to defend themselves against them. The danger of fraudulent applications would be very great unless a definition of this kind were inserted. If anyone suffered a serious injury the criminal origin was easily apparent. In the case of an injury of that kind it would be easy to prove to the satisfaction of a judicial tribunal, by the ordinary rules of evidence, that it was a serious injury; but in the case of a trivial injury, occasioned either by accident or inadvertence and represented as an injury inflicted by criminal means, it would be very difficult for the tribunal to decide. He would ask the right hon. and learned Gentleman to consider that point, and say frankly if there was not some force and weight in it. He (Mr. Sexton) was anxious that the tribunal should not be put into operation except in cases where aggravated injury called for its interference. His principal object was to avoid fraudulent applications.

Sir WILLIAM HARCOURT said, that the Lord Lieutenant would not be obliged to require the tribunal to consider every application which might be made to him, and, of course, cases which were evidently frivolous or fraudulent would not be referred to it. But in the present state of Ireland it was not desirable to cut down this clause, and he protested against this attempt to deliberately waste the time of the Committee in the present deplorable condition of Ireland. Every day this Bill remained unpassed it cost the lives of men, and the responsibility of the delay must rest with those who caused it. The Government could not and would not weaken this clause.

Mr. O'DONNELL said, he was sorry that the right hon. and learned Gentleman would insist in introducing extraneous matter into the discussion. If Ireland was in a deplorable condition, and anything was wanted for the preservation of peace and order in that country, why did not the Government make use of the powers they possessed under the Coercion Act? It could not be that there was a deliberate complicity with the assassins who were allowed to roam about the country.

The CHAIRMAN said, that the hon. Member was not speaking to the Amendment before the Committee.

Mr. O'DONNELL said, that he agreed with the object and purport of the Chairman's ruling, but he had only risen to protest against the irrelevant and provocative utterances of the Home Secretary, who was practically in his element when he was endeavouring to turn the Committee from the practical consideration of the Business before it.

Mr. T. D. SULLIVAN asked if the distinction proposed by the Amendment was not one that was well known to the law? He was not a lawyer himself, but he thought that he had often seen the charge specified as one of intent to do grievous bodily harm. The distinction was in such cases between grievous bodily harm and trivial bodily harm, and it was desirable to introduce a similar distinction on this clause.

Mr. DILLON said, he did not see why the Government should complain of a desire to discuss an Amendment which in every sense was reasonable, and had been moved in a singularly short speech, but had, nevertheless, been refused, and no reason given for the refusal except the sweeping declaration that it was intended by refusing to allow every kind of preposterous claim to be brought forward. The right hon. and learned Gentleman the Home Secretary said that the Lord Lieutenant was not likely to pay attention to frivolous cases of injury, but he (Mr. Dillon) had himself known of cases where very frivolous accusations of that kind were made in a Court of Justice. He recollected an instance where the charge was one of mutilating cattle, and a claim for compensation was made. It was only brought out in cross-examination that the only portion of the tails of the cattle cut off was close to the hair at the end. He knew of another instance, reported in a Blue Book before the House, where a man alleged that his ear had been cut off. He (Mr. Dillon) inquired into that case, and saw the parish priest who had attended the man. Directly after hearing that the outrage had been committed the priest went into the man's house and examined his ear, but was unable to find out that any injury had been inflicted. It appeared that somebody with a pair of scissors had cut off a piece of the skin of the ear, but it was doubtful whether any blood had been drawn. He (Mr. Dillon) reported that case to the authorities in Dublin, and he submitted that it was not a case of mutilation which entitled the man to a claim for compensation for £50 to be levied on the district. What the Irish Members wanted was that the Lord Lieutenant should have sworn information laid before him before any compensation was assessed under the clause, and also that a serious injury had been committed, so that encouragement should not be given to fraudulent claims.

Mr. SEXTON said, that he should certainly divide the Committee, if only to mark their sense of the propriety of the Amendment. He protested against the deliberate appeal of the Home Secretary to passion, and against his attempt to draw the Committee away from the proper exercise of its functions. Whatever might happen from day to day on account of the evil policy of the Government, and the scandalous incapacity of its agents, the Irish Members had their duty to perform in that House, and they would do it in spite of the remarks of the Home Secretary, whose speech was neither argument, debate, nor reason, and which he (Mr. Sexton) treated with the scorn it deserved.

Sir JOSEPH M'KENNA said, he did not think that the efficiency of the clause would be in the least degree impaired by the introduction of the word "seriously." It would altogether depend upon the judgment of the Lord Lieutenant whether the case submitted to him was one of serious injury or not. If it was sufficiently serious to justify the Lord Lieutenant in issuing a Commission, of course he would issue it; but if not, then no Commission would be issued at all. He failed to see what objection could be taken to the introduction of the word "seriously" in that sense.

Question put.

The Committee *divided*:—Ayes 32; Noes 256: Majority 224.—(Div. List, No. 190.)

Amendment proposed, in page 8, line 2, after the word "person," to insert the words "after the passing of this Act." —(*Mr. Dillon.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he could not accept this Amendment. He should be very sorry if the murders which had been announced that day were not to come within the clause.

Mr. HEALY, said the right hon. and learned Gentleman always knew well how to work upon the passions of the House. If the murders announced that day were to come within the clause, he asked whether it would also apply to murders committed 200 years ago? As the clause stood, it would refer to any crime committed since the English went into Ireland. Did the Government intend to go back upon the crimes committed during the last 10 years? It was only fair that the Government should state their intentions with regard to the extent of the retrospective character of the clause, and unless they were prepared to respond to this reasonable appeal on the part of the Irish Members, he believed considerable difficulty would be thrown in the way of the passage of the clause. The Committee would see, he believed, that the clause should only be made retrospective with regard to the murders committed within a reasonable time. He appealed to the Government to state what their idea of a reasonable time was; otherwise the Irish Members would feel bound to use every form of the House to prevent the passage of the clause in its present shape.

Mr. DILLON said, he objected to the way in which the Committee were about to be treated in respect of the all-night Sitting announced by the right hon. Gentleman the Prime Minister.

The CHAIRMAN pointed out that the hon. Member was not dealing with the Question before the Committee.

Mr. DILLON said, he was about to comment upon the observation made by the right hon. and learned Gentleman the Home Secretary, with the assent of the Chairman.

The CHAIRMAN said, the right hon. and learned Gentleman was perfectly correct in the reply which he had made upon the Amendment before the Committee. The hon. Member for Tipperary was speaking to something not in the knowledge of the Committee.

Mr. DILLON said, the Home Secretary, in replying to the Amendment, had expressed the regret he should feel if the provisions of this clause were not to apply to the murder which occurred at Meath yesterday. He was bound to confess that he altogether objected to the principle of retrospective legislation in the case of these murders in Ireland. There was a system of coercion in force at the present time in Ireland, which had universally been declared to be a failure, and the Government were now introducing a series of provisions which, he contended, ought to have regard to the future, and not to the past. He maintained that it was intolerable that they should have to look forward to one Coercion Act being piled up upon another, each one of which overlapped its predecessor. Because the Government had reduced the country to a frightful state, it was no reason why the next Coercion Act passed—which in all probability would be as great a failure as the last—should be made retrospective. He repeated that, except in matters of detail, he objected altogether to the principle of retrospective legislation. Surely Irish Members were entitled to ask where the limit to this legislation was to be placed? The Government should give them a hint upon this point, because, for all they knew, the Act in its present form might be made to apply to a murder committed in 1798. On every Amendment put forward by Irish Members with the intention of mitigating the unnecessarily vague powers conferred by this Bill, they had been met systematically by the argument not categorically stated, but still in substance conveyed, that they must remember the fact that the Lord Lieutenant of Ireland was a humane and intelligent man who would lay down a line with respect to the powers conferred upon him, which would not be passed. He said that it was an unfair thing to put forward an argument of this kind when the Committee of the House were engaged in the consideration of Amendments that ought to be discussed upon their own merits—certainly not upon the merits of Lord Spencer, which were entirely outside the question. The Government had refused to state that they would lay down any limit beyond which they would not go back; and, as he had already pointed out, the clause, as it stood, afforded no security that the levy would not be made for murders committed many years ago. To say that this would be an unreasonable thing was no answer to his statement. Irish Members had had experience of the Act passed last year, which they had been assured would be used in a certain way; but that experience had been bitterly opposed to the statements made when the Act of last year was passing through that House. He remarked that when an Act for the coercion of Ireland was on its passage through the House of Commons it came forward like a lamb—all its elasticity and the possibilities which it contained of unjust application were then explained away; but when it passed into law and reached the Irish Executive, this sheep's clothing was laid aside and it appeared in its true form as a wolf. Every attempt on the part of Irish Members to obtain information had been met in the same dogged spirit as was then being shown by the Government. The only answer that they could obtain was, that all this was according to law; that Parliament had made the law, and Irish Members had accordingly to submit. As to the profession that this clause would not be used by the Lord Lieutenant, or anyone who succeeded him in the government of Ireland, in the most extravagant and unreasonable manner, he believed, on this point, that they would get just as much satisfaction from this Bill as they had under the Coercion Act as administered by Lord Cowper. Therefore, he said that Irish Members were right in insisting that their arguments should be met by reasons and not by references to the humane nature of Lord Spencer. He called upon the Government to declare whether it was their intention, and if so, to what extent, to limit the retrospective character of this clause.

Mr. MITCHELL HENRY apprehended that even if this Amendment were not adopted the Act would not be retrospective in the sense indicated by the hon. Member opposite. He believed that compensation would not be levied under this Act except within a certain limit; but whether that limit should be the commencement of the present Session or the date of the enactment he did not presume to say. He thought the Government should make a statement of their intentions in this respect. Supposing a man applied for compensation for injury done four years ago, would that come within the clause?

Sir WILLIAM HARCOURT said, the Government had followed closely the Act of 1870, so far as the Compensation Clause was concerned, the words of which were precisely the same as those in the present clause. There was no limit in the clause referred to of the Act of 1870. It was taken for granted that the Grand Jury would exercise their discretion as to whether or not the case which came before them should be made the subject of compensation. He saw no reason for departing from the principle of the Act of 1870.

Sir JOSEPH M'KENNA submitted that, unless words were introduced to make this Bill a piece of *ex post facto* legislation, it would only operate from the time it had received the Royal Assent, and in relation only to offences committed after the passing of the Act.

Mr. JOSEPH COWEN said, he believed that the Peace Preservation Act of 1870 was practically limited in its operation. He thought the Committee ought to have some definite explanation from Her Majesty's Government on the point raised.

Mr. CALLAN remarked, that the hon. Member for Leitrim (Mr. Tottenham) had an Amendment on the Paper for the purpose of making the clause apply to cases which had not been dealt with under the Act which expired on the 12th of June, 1880. Now, the Attorney General for Ireland was the proper person to apply to in a case like the present, and therefore he asked the right hon. and learned Gentleman whether the clause would enable the Lord Lieutenant to give compensation in the case of a murder which took place 12 months ago, or which took place before the commencement of the present Session? The right hon. and learned Gentleman was, by his official position, bound to explain to the Committee the legal effect of the clause which the Government were now asking the Committee to pass. This question was a very reasonable one, and a satisfactory reply would, he believed, very much facilitate the progress of the clause, as to the meaning and application of which the Home Secretary had left the Committee in a state of complete ignorance.

Mr. P. MARTIN said, he believed the right hon. and learned Gentleman the Home Secretary was under some misapprehension as to the Compensation Clause in the Act of 1870 being without limit. He thought that the right hon. and learned Gentleman had, perhaps, only looked at the commencing words of the clause, and that had he continued to read on he would have seen that the provisions of the Act of 1870 with regard to compensation were practically limited. The clause was to the effect that any person having to apply for compensation should serve notice in writing upon the High Constable of the barony at the nearest police-station 14 days before the then next session. He believed the right hon. and learned Gentleman and the Committee would see that this Proviso did practically prevent anyone going back for an indefinite period in the matter of compensation, because it was clear that the meaning of the words "the then next session" was the next session after the commission of the crime. The intention evidently was that immediately after a crime had been committed, notice should be given in order that inquiries should be made into the circumstances of the case. This question of the retrospective action of the clause was most important. These claims, which would saddle some of the districts of Ireland with very heavy expense, ought not to be allowed to extend back for an indefinite period. He would remind the Committee that both principle and precedent was opposed to thus making the operation of the clause retrospective. The portions of the Act of 1870 which he had cited followed the analogy of the Block Act, and other Acts dealing with malicious injuries in Ireland; and all of these Acts tended to show that the intention was that the party claiming compensation should proceed at once. If delay was permitted, future claims would be encouraged. After the lapse of any considerable period of time, it became difficult, if not impossible, to ascertain the real facts. But there was another and stronger ground in point of equity and justice why the operation of this clause should be limited to some definite period. The present Lord Lieutenant of Ireland had been met in the House of Lords with the charge that, in consequence of the expiry of the Peace Preservation Act, many claims for compensation for injuries could not be made. The answer of the noble Lord upon that occasion was that the provision in question had been of but little practical advantage in aiding in the prevention or detection of crime, and that the omission of the present Government to re-enact this part of the Act of 1870 had occasioned no inconvenience or injustice. He (Mr. Martin) asked whether it would be just or right that the clause should be allowed to operate further back than the period suggested by the hon. Member for Galway—namely, the time of the introduction of the Act?

Mr. MITCHELL HENRY said, he believed it was a maxim in law that no Act of a penal character was retrospective unless this was expressly stated in the Act itself. Upon this point the Committee were entitled to look for guidance to the Law Officers of the Crown, who, he trusted, would be able to throw a clear light upon the question before the Committee as to the date at which the present clause should take effect. He was willing that the penalties of this Act should be retrospective, but they must be made retrospective only for a reasonable period. He appealed to the right hon. and learned Gentleman the Attorney General for Ireland to state whether the penalties proposed by an Act of Parliament could be retrospective unless so stated in the Act itself?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he thought it unnecessary to reply to hypothetical questions of a general character.

Dr. COMMINS said, the Government were asking very large powers in this Act, which, however, he had no doubt the House would grant them. But it was in complete contradiction of the law that they should try to take covertly these powers of a retrospective character. A Statute, as he understood the law, began to operate at the time when it received the Royal Assent, unless some other time were named in the Act. That was the law of England, and a Judge administering an Act of Parliament would not go back one hour beyond the day on which it received the Royal Assent. Did the Government intend the Committee to understand that because these claims for compensation would not be settled in open Court, but by a kind of Commission of Inquiry, that the ordinary principles of English law were to be set at nought?

Mr. JOSEPH COWEN said, he thought the Government should at once give some definite explanation of their intentions with regard to the retrospective character of the clause. The hon. Member for Tipperary (Mr. Dillon) had made what appeared to him a very reasonable proposal; but with this the right hon. and learned Gentleman the Home Secretary refused to comply, saying that the Act of 1870 was retrospective. But he wished to point out that the Act of 1870 did contain a limit. He thought that the Government should fix some date beyond which the clause should not apply, or else give the Committee a satisfactory reason for not doing so.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the Act of 1870 was retrospective. All that was necessary in order to bring cases within the Statute was that the notice should be prospectively served a certain number of days before the Session. This Act would also be retrospective.

Mr. WARTON asked the Attorney General for Ireland whether compensation would be obtainable under this Act with regard to murders committed before the expiry of the Act of 1880?

Mr. TREVELYAN said, that the point was a practical one of great importance. He wished to inform the Committee that the Government had made up their minds to accept in substance, and perhaps in form, the Amendment to this clause which had been placed upon the Paper by the hon. Member for Leitrim (Mr. Tottenham), to the effect that the clause should apply to cases—

> "At any time subsequent to the 1st day of June, 1880, or where the prescribed notices had been given, in compliance with the terms of 'The Peace Preservation Act, 1875,' in any case which, owing to the expiration of the Act aforesaid, could not be brought before the summer assizes of that year."

The Government had the opinion that this clause was wise and just, and perhaps one of the most effective for the repression of crime which the Bill contained; and, therefore, they thought it should be made to cover that period of time which had not been covered previously.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the statement of the right hon. Gentleman the Chief Secretary for Ireland enabled him to answer in the affirmative the question just put to him by the hon. and learned Member for Bridport (Mr. Warton).

Mr. MACFARLANE said, he understood the Government to say that the principle of this clause was to inflict punishment on the residents of the district, in order to give them a distinct interest in the prevention of crime; but he wished to point out that by making the Bill extend back to the period indicated, they would be punishing districts for crimes committed before the interest which the right hon. Gentleman had referred to had been created. It appeared to him that the interest desired to be created with regard to the prevention of crime must refer to the future and not to the past.

Sir WILLIAM HARCOURT said, it must not be supposed that the principle of this clause was a new one, because it was perfectly well-known to the Common Law. It was the old law of this country that if a crime had been committed and the offender escaped, the town and the hundred should be amerced. The principle was that each man in the hundred should become security for his fellows that they would not commit crime; the people of the hundreds being responsible to each other for the peace of the district.

Mr. HEALY said, he did not think the Government would facilitate the progress of the Bill by the adoption of the words of the hon. Member for Leitrim. Moreover, the Government had given Notices of Amendments extending over seven pages of the Notice Paper. Some of these Amendments were, no doubt, in fulfilment of the promises the Government had made to hon. Members; but the majority of them had been sprung upon the Committee, and must inevitably give rise to considerable discussion and delay in passing the Bill. Under such circumstances, it was difficult to understand why the Government should bring against Irish Members, as they had done in ferocious terms, the charge of delaying the progress of the measure.

The CHAIRMAN said, the hon. Member was not speaking to the Amendment before the Committee, which proposed the insertion of the words "after the passing of this Act."

Mr. HEALY said, that his remarks had been caused by the fact that the Government had stated their intention to accept the Amendment of the hon. Member for Leitrim, and he considered that he was, in making those remarks, practically dealing with the Question before the Committee. Under the circumstances, it seemed to him absolutely necessary to refer to the past.

The CHAIRMAN said, the hon. Member would be quite aware that it was against the Rules of the Committee to discuss an Amendment which came after the one under consideration. The present Amendment must be decided upon by the Committee before any other Amendment was discussed.

Mr. HEALY said, he did not dispute that for a moment. The Question before the Committee was whether the Bill was to be retrospective or not. Now, the Amendment of the hon. Member for Leitrim involved precisely the same question. The Committee had been told that the object of the Government was to prevent crime by imposing a mulct upon the locality; but the Attorney General for Ireland had now admitted that this clause was not for the purpose of prevention, but for the purpose of punition. The right hon. and learned Gentleman the Home Secretary had stated that the extra police provided for in the previous clause was not for the purpose of preventing crime, but for the purpose of punishment. It now appeared that the present clause was to have the same effect—that was to say, it was to be punitive instead of preventive. The Committee would be aware that the Irish Constabulary were perfectly useless for the purpose of detecting crime, and it was for that reason that the Government proposed to punish localities by the levying of a fine. The Government had not the remotest idea that this clause would have any effect in preventing crime; nevertheless they had made up their minds that a number of perfectly innocent people should be punished. Take the case of the murder of Mr. Bourke. He was not murdered in the district where he carried out his evictions; the murderers waited until he got into the county of Galway, and murdered him there. Now, he asked, what justice there would be in making the county of Galway liable? By accepting the Amendment of the hon. Member for Leitrim, which made this Act retrospective, the Government showed clearly that they wished to punish a large number of innocent people for the act of a few individuals.

Mr. DILLON said, he must divide the Committee upon this Amendment. He had made several appeals to the Government for information, which, had they responded to, would have saved a great deal of time. Now, the Chief Secretary for Ireland had told the Committee that it was the intention of the Government to make this clause retrospective for two years, and two years only. He was bound to say that that did not in the least degree satisfy him, and he was surprised at the spirit shown by the Home Secretary in speaking of the levying of these fines upon people who had no hand in the crimes committed. If the right hon. and learned Gentleman were acquainted with the districts of Ireland in which these occurrences took place he would have known that the crimes in question were the outcome of starvation and poverty. He (Mr. Dillon) knew that the people in the districts where the most murders were committed were starving people, and that these deeds were the deeds of desperate men. But the Home Secretary's remedy was that, in order to prevent starving men committing desperate deeds again, it was necessary to take from them the little food left, and reduce them again to starvation. He believed that if these fines were levied the Government would simply reproduce the condition of things which led to the commission of crime in the past. There would be a half-starved, destitute, and desperate population to deal with, and the Government, instead of preventing crime, the only thing which could justify an atrocious Bill of this kind, would be creating a hot-bed for its future development. He pointed out that the amount which would be levied upon disturbed districts for the outrages committed in them during the last two years would largely exceed the amount of the rent of the holdings; and, therefore, he said that in making this clause retrospective for two years, the Government were not only pronouncing the ruin of the tenantry, but also of the landlords. They would by their intended action make it impossible for the people to pay their rents.

Mr. MARUM said, reference having been made to the ancient law by the right hon. and learned Gentleman the Home Secretary, he (Mr. Marum) would ask the attention of the Committee to a passage in Lord Macaulay, a relative of the right hon. Gentleman the Chief Secretary for Ireland, which had an especial bearing upon the question before the Committee—the practice of levying fines upon a district. In that passage the practice was strongly condemned as an incentive to crime and outrage.

Mr. MITCHELL HENRY said, there was not the smallest foundation in fact for the statement of the hon. Member for Tipperary (Mr. Dillon) that the crimes committed in Ireland were done by starving men. There was nothing which he admired more than the conduct of the suffering and starving people on the coast of Connemara, by whom, throughout all these troubles in Ireland, no outrages or crimes had been committed. He believed that the crimes committed in Ireland were done by persons who had taken the hints given to them at public meetings, and in newspapers, and by those who were otherwise in communication with the persons who had brought misery upon the country.

Mr. SEXTON said, that anyone listening to the speech of the hon. Member for Galway would infer that he was possessed of some special information with regard to the origin of crime in Ireland. He had just announced to the Committee that these crimes were not committed by men in a state of starvation. But how did the hon. Member know that? To be able to make that statement the hon. Member must know by whom they were committed; and, therefore, he thought that the Government might obtain from the hon. Member information which would be much more useful than the declaration with which he had favoured the Committee. His hon. Friend the Member for Tipperary had not professed to have any exclusive information with respect to the murders committed in Ireland. He had contended that those outrages, murders, maimings, and crimes of lesser degree were committed only in the districts where starvation prevailed. The announcement which had been made by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant was of a very serious character, and he feared it would lead to results equally serious in Ireland. But did the right hon. and learned Gentleman the Home Secretary mean to contend that English criminals never escaped detection? It was perfectly well known that they did so, and yet he would challenge the right hon. and learned Gentleman to cite a single case in which an English locality had been amerced or fined on that account. The Government had departed from the rule that a Statute should come into operation from the date of its passing, and in doing so they had overridden the objection raised to this clause; the first effect of which would be that the poor people who had been struggling for bare life would now be liable to a heavy fine any day after the passing of this Act—a fine greater even than the rents which they had been compelled to pay. One would have supposed that if the Government had desired the preservation of law and order in Ireland, they would have taken the exactly opposite course to that which they were now following. They were about to render the people of some of the districts in Ireland liable for enormous fines; and he did not believe, looking at the consequences which would result from the operation of the clause, that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had the slightest idea of the effect which was implied by the words which he had just made use of. In his opinion, nothing more prejudicial to the peace and tranquillity of Ireland could be done than to make this compensation retrospective. He appealed to the Government, if it were not then too late, to reconsider this clause, and to say whether they meant it to be exercised with less severity than the words of the right hon. Gentleman implied. There was a strong reason why they should not go behind the date of the passing of the Act. Was it not a fact that during the last year they had had in operation in Ireland a measure of coercion which was claimed by the Government at the time it was passing through that House to be sufficient for the purpose of repressing crime? Last year the then Chief Secretary to the Lord Lieutenant (Mr. W. E. Forster) declared that if he had the power which was asked for in the Bill then before the House, he would not only be able to prevent, but to punish crime. Well, those powers had been given, and with what result? They had proved to be quite insufficient for the purposes they were intended to perform; crime had gone on, and the Government were now coming forward, and by way of covering their own failure, incapacity, and he might say disgrace, were endeavouring to shift the responsibility of these murders from their own shoulders to the shoulders of hon. Members upon those Benches.

Sir WILLIAM HARCOURT said, the Government were not at all insensible to the considerations urged by the hon. Member opposite and his hon. Friends. He could quite conceive that a clause of this kind might have a very injurious effect if it were improperly worked. But that might be stated of every clause in the Bill. That was his opinion; he had never concealed it in that House. As a general remark, he might observe that the 1st clause of this Bill was retrospective as to murders. With regard to the present clause it would be, no doubt, for the Lord Lieutenant to consider how the clause should be worked so as to produce a beneficial effect, and not such an effect as had been alluded to by hon. Members opposite. He had already remarked that the Government were not insensible to the considerations urged by hon. Members in that respect; but the only question before the Committee was as to whether the clause should be retrospective at all. Although a period had been suggested by an Amendment on the Paper, the actual Amendment before the Committee was that the compensation leviable under this clause should only take operation from the passing of the Act. That, he must say, for the reasons which had been stated, the Government were unable to assent to. They could not agree that murders which were being committed at the very time that this Bill was under consideration should not come within the operation of the clause. Under those circumstances, the Government felt it their duty to take the opinion of the Committee upon the Amendment of the hon. Member for Tipperary.

MR. SYNAN said, it was quite clear from the observations of the Home Secretary that no one was more sensible of the danger of making the clause retrospective than the right hon. and learned Gentleman himself. The result of making the clause retrospective, and leaving its application to the Lord Lieutenant, would be to render the working of the Bill an impossibility, because henceforward every man in Ireland would be against it; associations would be formed to resist it, and every man in Ireland, so to speak, would become the enemy of the Act. He would now look at the matter from the point of view of the landlords, in whose interests it had been made retrospective. He asked the Government and the Representatives of the Irish landlords in that House whether they had considered what the effect of this would be? In his opinion, it would introduce a state of things which had not been known in Ireland since the famine years. The Government were heaping tax upon tax, and they were thereby rendering it impossible for the landlords to get any portion of their rent.

MR. O'SHAUGHNESSY said, however much he desired it, he was unable to give a silent vote on this Amendment, because he wished to enter his protest against making the clause retrospective. He believed that, if persons who had no sympathy with crime were obliged to pay for murders committed in their district during the last four years, the effect would be to drive them into a state of desperation.

Question put.

The Committee *divided*:—Ayes 38; Noes 207: Majority 169.—(Div. List, No. 191.)

MR. TOTTENHAM said, he did not propose to proceed with the Amendment in his name, as he understood the Government were prepared to meet him.

SIR WILLIAM HARCOURT said, the Government had stated that they would accept the principle of this Amendment, but that the Amendment could not come in here, because, in point of fact, it ought to be in the first line of the clause. If inserted at this point, it would create confusion; and, therefore, he thought, having intimated the intention of the Government with reference to the limitation, the matter should stand over, and subsequently be inserted in the first line of the clause.

MR. SEXTON said, that, before the end of this clause was reached, he should move a sub-section making this clause prospective.

COLONEL BARNE said, he wished to find out a precedent for this case. By the Act of 1870, there were urgent reasons why the Grand Jury should have this power, and he should like to hear the reasons of the Government for making the proposed change. It must be quite evident that the Lord Lieutenant had not nearly so independent a power as the Grand Jury, or a power enabling him so well to judge of the rights and the wrongs in regard to an outrage, or of the question whether the people were loyal or disloyal, or whether they were able to pay or not. For instance, on the approach of a General Election, was it not evident that a man in the position of Lord Lieutenant, who was a Member of the Government, would think twice before he alienated the votes and sympathies of electors—many Lord Lieutenants might do that; but he had nothing to say against the present Lord Lieutenant. It was evident that he would think more and longer before inflicting a penalty on a district when a General Election was near than if the Election was remote. A Grand Jury, of course, would not take a General Election into consideration, and therefore it would be a much more independent body. Again, the Chief Secretary to the Lord Lieutenant ought to be in favour of this Amendment, because it must be evident to him that he would not be liable to the same questions and the same baiting by hon. Members from Ireland if the infliction of a fine was restricted to the Grand Jury than if it was imposed by the Lord Lieutenant, for whom he was answerable in that House. It was quite evident from the past that each time this penalty was imposed the Chief Secretary would have a great many questions to answer with regard to the infliction of the penalty. If the Grand Jury were empowered to impose the fine, it would be no use dealing with the Chief Secretary, as he would be entirely irresponsible for the acts of the Grand Jury. The Grand Jury knew the country better, and the people better, than the Lord Lieutenant or the Chief Secretary, and, for these reasons, were more likely to do justice than the Lord Lieutenant under all the circumstances.

Amendment proposed,

In page 8, line 5, to leave out from the word "Lord," to the word "to," in line 6, and insert "Grand Jury shall."—(*Colonel Barne.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. TREVELYAN said, the power under this clause was a very strong power, and the Government felt extremely the responsibility it placed upon them. That responsibility they could not consent to give to any other authority than the Lord Lieutenant. As to any question addressed to him (Mr. Trevelyan) in connection with this clause, his responsibilities were large already, and were likely to be larger. His chief reason against the Amendment was that the Grand Jury could not possibly exercise a power requiring such very great discretion in its application. There could be no proper authority to exercise that power except the Government themselves.

Mr. LEAMY pointed out that under the Act of 1870, as amended by the Act of 1875, this power was entrusted to the Grand Jury. The Chief Secretary ought to show that the Grand Jury had failed in any way to properly exercise that power.

Sir WILLIAM HARCOURT said, it was quite sufficient upon this point to mention the fact that the Grand Jury only met twice a-year, and that between one meeting and another there was an interval of five months, during which the purposes contemplated by this clause would be extremely prejudiced. The Government were aware that under the Act of 1870 this power was given to the Grand Jury; but, considering all the circumstances, they thought it better that the Lord Lieutenant should himself appoint what he considered a fit tribunal to deal with these questions, and there was no doubt he would be conscious of all the considerations, and would take care to appoint a reasonable tribunal for this purpose. The Government had abandoned the view of sending these cases before the Grand Jury, for the reasons he had already stated, and to that decision they must adhere.

Mr. MARUM said, the question had been already decided on an Amendment he brought forward to extend the provisions of the Act of 1870; but he must still protest against the principle of taxation without representation.

Mr. REDMOND said, he wished to point out that this was an instance of the fact that the delay in the progress of this Bill was due to the proposal of Amendments by hon. Members, who, after announcing their intention in a half-hearted way, did not press them. In the course of these discussions a great deal of indignation had been expressed by right hon. Gentlemen on the Front Bench, in reference to imputations which they imagined had been cast upon the Lord Lieutenant. It seemed to him very strange that no right hon. Gentleman had stood up to denounce the hon. and gallant Gentleman (Colonel Barne) for his argument in support of the Amendment, which seemed to him to be the greatest possible imputation upon the Lord Lieutenant. The argument of the hon. and gallant Member was that the Lord Lieutenant could not be trusted with this power, because he might possibly use it wrongly or abstain from using it rightly, in the view of a General Election, in order that the interests of his political Party should not be prejudiced; and the hon. and gallant Member, having made that grave imputation on the Lord Lieutenant, said that the Grand Jury would not be open to the same imputation, because it was supposed to be composed of men entirely above any desire to shield the interests of their political Party by using this power wrongly. If the Grand Jury would not be inclined to use this power for political purposes, it would be only because they represented a class and school of politics who were entirely outside public life. He supposed that the Amendment must be withdrawn, but he would much rather have seen the Committee refuse leave to withdraw it, and so marked their sense of the obstruction of hon. Members who proposed Amendments and occupied the time of the Committee when they did not seriously intend to press their proposals.

Amendment, by leave, *withdrawn.*

MR. T. P. O'CONNOR proposed, in line 6, after the word "persons," to insert—

> "Being, or one of whom shall be, a practising barrister of at least six years' standing."

It would be seen from Sub-section 2 of this clause that the persons appointed by the Lord Lieutenant would have to discharge duties similar to those of Judges at Petty Sessions.

Amendment proposed,

In page 8, line 6, after the word "persons" to insert the words "being, or one of whom shall be, a practising barrister of at least six years' standing."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, he would accept this Amendment on behalf of a Profession upon whom, he was sorry to say, all the unpleasant duties and misfortunes of mankind devolved.

Amendment *agreed to.*

Amendment proposed, in page 8, line 7, after the word "parties," to insert the words "on oath."—(*Mr. Leamy.*)

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, he regarded this as a desirable Amendment, and would accept it.

Amendment *agreed to.*

MR. MARUM said, before the next Amendment was taken, he intended to propose an Amendment, which he would not press if the Government assented to its principle. Under the Peace Preservation Act, public notice was required to be given to the authorities in order that they might be advised as to outrages at once. That Act defined the notice which should be given, and, in Section 38, stated that any person intending to apply for a presentment under the provisions of that section in respect to any murder, should give public notice of his intention to apply, in the newspapers in which the Grand Jury notices of the county were published, 14 days before the holding of the next Assizes. This provision was necessary to prevent fictitious claims being brought forward. If the Government could see their way to something of this kind in the present Bill he would not move his Amendment, but he regarded it as an essential provision.

SIR WILLIAM HARCOURT said, he agreed with the hon. Member that before an application was made the person making such application should give notice. Unfortunately, there was no Amendment on the Paper. Where a claim was made for compensation, some provision should be made for public notification of the claim.

MR. MARUM said, he would bring forward an Amendment if the Home Secretary would take charge of it.

SIR WILLIAM HARCOURT promised to consider how the provision could be introduced.

MR. SEXTON moved to leave out, after "parties," the words "whom he or they deem," and insert "claiming." The effect of this would be to give every person claiming a right to be heard by the Court. The Committee would recollect that some time ago there was a case in England in which a man named Holden prosecuted two men for injuring him and they were sent to prison, but it was afterwards found that Holden had inflicted the mutilation upon himself. Suppose a man inflicted mutilation upon himself for the sake of the money he could procure, and suppose some person was aware of that, if he appeared before the Court as the clause stood the magistrates might say such person had no *locus standi*. If also some person knew that another person was claiming for injuries which really were due to an accident, he might be shut out of this clause. The Court would be a Summary Court, acting sometimes with very slight notice; and the safe rule would be that, where large parties of people were likely to be mulcted, everybody interested should be allowed to come forward and give evidence. Of course, the acceptance of the Amendment might cause some loss of time in the examination of superfluous witnesses, but the provision would be a great counterbalancing gain.

Amendment proposed,

In page 8, line 7, after the word "oath," leave out the words "whom he or they deem," in order to insert "claiming."—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, the Amendment could not be accepted. The effect of it would be to give a vested statutory right, not only to every person interested, but to every person claiming to be interested, to appear. What would be the result of that? It would be absolutely impossible for the inquiry to be conducted; and it would be practically blocked even if only a small portion of those claims to be heard were admitted. The object aimed at by the Amendment was to insure the investigation being as complete as it ought to be; but the Government had accepted the Amendment that one of the persons making the inquiry should be a barrister, and the Court had power, in regard to taking the evidence and all the necessary machinery, for making a proper investigation. That would provide what was now provided at the Assizes under the Malicious Offences Act—nobody having an interest was, practically, shut out. Under this Amendment, obviously every person in the county might claim to have an interest in the matter, inasmuch as such a tax might be levied over the entire county; and that would render an investigation absolutely impossible.

MR. HEALY admitted there was some force in one of the remarks of the Solicitor General for Ireland; but the point was that the Amendment would give every person a statutory right. If his hon. Friend withdrew his Amendment, would the Government be willing to admit the words "whom he or they admit to be," and thus make the clause read, "after hearing all persons interested"? The statutory right would not then be given. The omission of the words would not weaken the clause, while the new words would obviate the objection of the Solicitor General for Ireland and meet the Irish Members to a large extent.

SIR WILLIAM HARCOURT said, he was afraid that would come to the same thing. Some control must be left to the new tribunal, and no tribunal could exclude the ratepayers generally. But there were Amendments later on, which the Government would be willing to accept, with regard to parties appearing.

MR. SEXTON asked whether witnesses would have a right to be examined on tendering evidence?

SIR WILLIAM HARCOURT replied, that he should clearly think the tribunal must admit such evidence. It would be the duty of the tribunal to hear any person who had information upon the matter.

MR. SEXTON said, he thought that was satisfactory as far as it went; but the Home Secretary misunderstood Ireland if he thought every ratepayer would wish to appear. The only appearance would be by a body of ratepayers, and if they thought they could show that a murder had been committed by some stranger they ought to be able to appear before the Court.

MR. CALLAN said, he thought the Amendment of the hon. Member for Sligo (Mr. Sexton) would leave it to the Court to decide upon hearing parties or not. Committees of the House had never refused to hear parties petitioning who were interested and had a *locus standi*, and it was the same in all the Courts. Every person interested had a right to appear and give evidence, and there was no limitation to that right. He could not accept any compromise if those words, "whom he or they deem to be," were not left out. Would the Home Secretary say this clause was meant to give a power to the person sent by the Lord Lieutenant to refuse to hear parties interested? If not, what objection could there be to leaving out the words as proposed by the hon. Member? He appealed to the Attorney

General for Ireland to state whether the omission of the words "after hearing all parties interested" would in any way interfere with the power at present possessed by the Lord Lieutenant?

SIR WILLIAM HARCOURT said, he thought it was not worth while repeating the arguments he had already given against omitting these words; to do so would simply revive what had been decided some time before.

Amendment, by leave, *withdrawn.*

MR. HEALY asked the Government whether they had any objection to inserting the words "in open Court," and he moved to introduce those words.

Amendment proposed,

In page 8, line 7, after the word "parties," to insert the words "either personally or by counsel or solicitor."—(*Mr. Healy.*)

Amendment *agreed to.*

MR. SEXTON proposed to introduce the words "any ratepayer or ratepayers of the district." He was sensible, he said, that the argument urged by the Home Secretary would apply to this Amendment; and he would ask whether the Home Secretary would consent to insert those words, in order that a body of ratepayers might appear by counsel?

Amendment proposed,

In page 8, line 8, after the word "interested," to insert the words "including any ratepayer or ratepayers of the district."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, there was no objection to this Amendment, as the Government had no intention to prevent people being represented, but only to prevent a large number of people appearing individually.

MR. CALLAN said, he wished to put a case in which there might be one great proprietor of a barony, and only one ratepayer objecting to the tax. Under this Amendment, such person would be excluded from taking action, because it could not be said that one ratepayer was a body of ratepayers, and yet it would be absurd to say that such person was not a party interested. The effect of the Amendment would be to restrict the parties who had a right to appear.

MR. SEXTON said, he thought his hon. Friend had not given as much thought to this Amendment as he himself had. The individual would still have the right to appear subject to the discretion of the Court.

Amendment *agreed to.*

MR. P. MARTIN said, the substance of the earlier portion of the Amendment he wished to propose had been accepted. The Government, as he understood, had acceded to the suggestion of an open Court; and he did not see that there could be any possible objection to the residue of his Amendment.

Amendment proposed,

In page 8, insert "And the person or persons so nominated by the Lord Lieutenant shall be bound to state in their report what, in their belief, were the circumstances under which the injury in respect to which compensation is sought took place, and whether any material evidence has been withheld by any persons resident within the said county where the murder, maiming, or other injury may have taken place, and the reasons or grounds on which such belief has been formed. And such person or persons so nominated as aforesaid."—(*Mr. P. Martin.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, that this Amendment would introduce into the body of the Bill a provision which was quite unnecessary. The object of the Amendment was to provide that the person appointed by the Lord Lieutenant should report upon certain matters, some of which were quite unnecessary; whilst it contained no direction as to reporting upon other matters which were of great importance. It would be the duty of the persons appointed to report to the Lord Lieutenant on such matters as the Lord Lieutenant considered needful, and he would be empowered to consider and, if necessary, to send back their Report. That seemed to him to be sufficient.

MR. P. MARTIN said, he merely moved the Amendment without observation because he could not conceive that the Government would object to it. Would the Government refuse in the present Bill to make the same concession that had been made by the late Government, and exempt all districts where material evidence was, in fact, not withheld? It would be most unjust to charge a district where the ratepayers had given, or showed a desire to give, aid to the Government in tracing or convicting those guilty of the offence. It appeared to him most material that there should be in the report made by the persons nominated a statement as to material evidence having been withheld in the district. There had been a contest between the Irish Members and the Government for some time whether in reality sympathy existed in Ireland to such an extent as to prevent material evidence being procured, or whether it was not the weakness, want of care, and skill of those charged with the criminal administration of justice and detection of crime in Ireland which occasioned the lamentable breakdowns and failures which, he admitted, not unfrequently occurred of late in criminal cases in Ireland. To hereafter decide the validity and accuracy of the allegations thus made these reports would be most important. What reason could be given for refusing to prescribe that the Commissioners should be bound to supply the details and particulars demanded in their Reports? If the Lord Lieutenant sent down competent and experienced men to try these matters, what difficulty would they have in reporting in the manner proposed by the Amendment? The Government ought to be anxious to have the fullest information made public.

Mr. HEALY said, he had expected, on an Amendment of this kind, there would have been some satisfaction given by the Government, and he regretted that the Home Secretary had left the House, leaving his Colleagues with strict instructions to accept nothing at all. That was not the way to treat the Committee, and if the Chief Secretary had not power to accept that Amendment, what was the use of the Committee going on? This Amendment in no way interfered with the working of the clause, but simply asked for a Report to the Lord Lieutenant by the legal gentleman of six years' standing, giving some reasons why the district should be fined. This Amendment was refused with scorn, but he could not understand for what reason the Government rejected the proposal. He urged them to reconsider the Amendment, and, if necessary, recall the Home Secretary, in order that there might be some person with authority in the House.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, the Bill was sufficiently long without introducing an Amendment which was absolutely unnecessary, and for which no clear reason could be given. The Amendment prescribed certain matters on which the Commissioners were to report, but most of those were the matters upon which, without the Amendment, they must necessarily report; and there were many matters not in the Amendment upon which it would be most important that they should report—as, for instance, the condition of a family. At all events, there was one part of this Amendment which could not possibly stand or be discussed until the later Amendment of the hon. Member for Kilkenny (Mr. P. Martin), which raised a question whether an inquiry under the section should be restricted to cases in which there had been a refusal to give evidence, was reached. In the meantime, what he would submit was that it would be better to leave the matter in the hands of the Lord Lieutenant, who, if the Report was incomplete, could have it sent back and amended. In a Bill like the present surplusage should be avoided. Besides, the insertion of the words proposed would not attain the object of the hon. Member—namely, publicity, because the Report to the Lord Lieutenant would not necessarily be published.

Mr. LABOUCHERE presumed that the Government would rather prefer that the Bill should be long than that the discussion upon it should be prolonged. The hon. and learned Gentleman the Solicitor General for Ireland had repeated that his main objection to the Amendment was on the ground that it was surplusage. Even supposing that it was surplusage, was it worth while discussing it when hon. Gentlemen were anxious that it should be put in? The hon. and learned Gentleman had said that one portion of the Amendment should not be discussed now, but should come in subsequently; and the hon. and learned Gentleman had referred to the words "whether any material evidence was withheld," &c. Would it have any effect if the hon. and learned Gentleman who moved the Amendment now withdrew those words for the present with the view of bringing them up afterwards? Would the Solicitor General for Ireland accept the other portion of the Amendment, which he only objected to on the ground of surplusage?

Mr. T. P. O'CONNOR said, he had an Amendment of a similar character, and he would like to know what the position really was? Would the Government say that they objected to any specification whatever as to the matters which should be contained in the Report? Was that the position which they took up?

MR. TREVELYAN said, the view the Government took was this. They were of opinion that this Bill should not specify the grounds on which the Lord Lieutenant was to come to a decision. The Reports would contain a very great deal more than the matters proposed to be inserted by the hon. and learned Member. The Lord Lieutenant was bound, as the good shepherd of the people, to see that they were not cruelly used by any of the clauses inserted in this Bill; and for that purpose he (Mr. Trevelyan) thought it was most important that the officers who went down should be, in their position as the Lord Lieutenant's Commissioners, his eyes and his ears, so as be able to give him a full, true, and complete picture of what had passed, of the condition of the district, and of the whole of the circumstances of the case. But that was not the principal objection of the Government—their principal objection was that it was not possible in an Act of Parliament to lay down all the possible circumstances which were required to be reported on by the Commissioners for the purpose of determining the judgment of the Central Government. That was the objection which the Government had to the present Amendment, and that was also the objection which they would have to urge against the later Amendment of the hon. Gentleman the Member for Galway (Mr. T. P. O'Connor). The point as to the detection of crime and as to the withholding or not withholding of evidence by persons in the neighbourhood was a point which might, of course, most properly be raised, and it was a most interesting point, which well deserved to be discussed; but he rather thought, on looking at the Amendment, that it would be more properly raised on line 21. If that was cut out of the present Amendment it would leave it extremely meagre and insufficient to meet the purpose which the hon. and learned Member had in view; but the Government would equally object to the much more full and plenary Amendment of the hon. Member for Galway, and, therefore, he hoped that both those hon. Members would consider that the Government had stated their opinion on the matter distinctly enough, and that they would reserve the discussion as to that part of the Amendment which began with the words "whether any material evidence" for a later period.

MR. P. MARTIN said, a few moments ago the Amendment was objected to as surplusage, but now he understood the objection was changed. No reason had been suggested, however, which, he submitted, ought to have weight with the Committee. There ought to be no concealment as to the evidence taken before the Commissioners to be appointed, or the reasons for the Reports which they might make. Why did the Government seek to thus withhold what, according to the usage of all other tribunals, Parliament and the public were entitled to obtain? Did they fear that if Reports were made in the full form he suggested it would become apparent that the failure of justice in Ireland was occasioned by the weakness and want of capacity of those who administered the Executive Government? He was sorry to see that the present Government, Radical as they professed to be, intended to pursue the course that was taken by their Predecessors, by endeavouring to cover what was alleged, rightly or wrongly, to be the incapacity of Dublin Castle.

MR. HEALY wished to ask one question—Would the Chief Secretary to the Lord Lieutenant have any objection to insert the words, "The Report shall be made in the prescribed manner?" That, he was sure, would meet the views of his hon. and learned Friend, for then the Lord Lieutenant would require to have his attention drawn to what was necessary in order that he might come to a fitting judgment on the case.

MR. T. P. O'CONNOR wished, before that question was answered, to put another to the right hon. Gentleman. He did not quite clearly gather the object which his hon. Friend had in view; but he wished to ask whether, in the rules, the right hon. Gentleman the Chief Secretary would undertake that the Report should embrace at least two elements—first, that it should state the grounds for believing that there had been sympathy with the crime in the district; and, secondly, that it should state that the fine had been imposed for that reason?

If the right hon. Gentleman would say he would accept that proposal, he (Mr. O'Connor) would not propose any Amendment on that point. Would the right hon. Gentleman undertake to bring in words which would make the Report at least as full as the Report which had to be made under the Peace Preservation Amendment Act of 1875. He supposed the right hon. Gentleman was quite familiar with the clause in that Act, which, in amending a previous Coercion Act, was not passed without due consideration by the Government of the day, or without that Government having been taught by experience that such a limiting of the power of Section 39 of the Peace Preservation Act was necessary. In looking at that Amendment in the Act of 1875, he had been astonished to see how full the Government of that day compelled the Report of these offences to be. They compelled the Grand Jury to say that there had been material evidence withheld, and that was the most important point. In the clause now before the Committee, as it stood at present, the mere fact of murder having been committed, although no person but the murderer might know anything about it, would subject the locality to the severe provisions of the clause. He did not think that a clause which stood thus was in accordance with the principles advanced by the Government themselves, because in every speech which the Home Secretary had made on the subject that right hon. and learned Gentleman's great argument had been that the people should be fined because they showed sympathy with crime, because they did not lead to its detection, and because, by fining them, their desire to find evidence and to convict the guilty would be increased. The second point he had wished to bring forward was this—the Report which had to be made under the Act of 1875 compelled the Grand Jury to state the reasons why they thought evidence had been withheld, and they were also compelled to state the valuation of the district in which the crime had been committed. He could quite see the reason why that was put in. The reason why the Report was compelled to state the valuation of the district was to prevent cases occurring like that in the County Roscommon, where the fine imposed was actually equal to the entire valuation of the town on which it was levied. His hon. Friends had pointed out with great force how this fine might add to the burdens of the tenants of the locality—a burden equal to the rack rent they were now compelled to pay, or to the fair rent which the Court decided they would have to pay in future. In order to avoid that most stringent and excessive use of the clause, it was essential that the Government should bind themselves to have stated in the Report that which the Grand Jury were compelled to state by the Act of 1875—some particulars—namely, as to the valuation of the district, and, therefore, as to the ability of the ratepayers to bear the fine. He confessed that the clause as it now stood was in a most unsatisfactory condition; still, he did not want to propose his Amendment, because it was a very long one, and would take some time to read, and he would willingly spare both the Chairman and himself that trouble. But he would impress upon the Government the necessity of their addressing themselves to at least these two points—first, that the Report should, under the provisions of the Act itself, and not at the discretion of the Lord Lieutenant, set forth the grounds for supposing that evidence had been withheld; and, secondly, that it should give particulars as to the capacity of the farmers of the district to meet the fine.

Mr. T. D. SULLIVAN said, that, in this Amendment, as in others proposed from the same quarter of the House, the Irish Members asked for publicity, and the Government asked for secrecy. He hoped the Committee, and others outside the Committee, would take note of that fact, which had characterized the whole of the discussions on this Bill. The Irish Members wanted to let in the light upon the whole working of this measure, but the Government wanted to work in the dark. That was a fact which told heavily against the Government, and the more it was looked into the more heavily it told against them. This Amendment proposed that evidence should be taken in the open Court, and that the persons who took that evidence should, in supplying it to the Lord Lieutenant, state in their Report what, in their belief, was the injury in respect of which compensation was claimed.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, there was no mention of proceedings in open Court in the Amendment now under discussion.

MR. T. D. SULLIVAN said, then his reading of it must have been entirely wrong. It provided that such investigations must be held in open Court.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, the Amendment now under discussion was not the one the hon. Gentleman supposed. That came lower down.

MR. T. D. SULLIVAN said, that, in that case, he would pass from the point. However, the whole thing appeared to be left to the discretion of the Lord Lieutenant from first to last. If that was to be the state of the case, would it not have been wiser to have brought in a measure simply enacting that for the next three years the Lord Lieutenant should be empowered to do just as he liked throughout Ireland? The right hon. Gentleman the Chief Secretary had told them that the Lord Lieutenant was to be the shepherd of the people. A nice kind of shepherds they were that had been sent to Ireland from time to time! They were not shepherds, but wolves; and not the good of the flock, but their ruin and devastation, had been their work. What sort of a shepherd was he who cared for his sheep with bayonets and buckshot?

THE CHAIRMAN: Order, order! I must remind the hon. Gentleman that he is going altogether beyond the scope of the Amendment.

MR. T. D. SULLIVAN thought he was speaking in support of the Amendment. At all events, he did support it, and should vote for it.

MR. CALLAN wished to know whether it was the intention of the Government to provide that the parties should make their Report independently of the evidence, or was it to be accompanied by the evidence, and would it be laid upon the Table in the usual manner, within 14 days, if the House was then sitting, and, if not, within 14 days after the House met? It would facilitate matters very much if the right hon. Gentleman the Chief Secretary would inform the Committee whether the reporter would simply give his opinion as to whether compensation should be given or not, or whether he would enter into any of the grounds on which his opinion was founded, and whether the evidence taken should be deemed to be a part of the Report, or should be independent of the Report, and not be laid upon the Table of the House.

MR. TREVELYAN: The Government are ready to agree that the Report shall be in the prescribed form, and that the Commissioners shall be bound to report the evidence to the Lord Lieutenant. The evidence, I presume, will be appended to the Report. The question of the valuation of the district will, of course, be closely looked into. As to the epithet I used about the Lord Lieutenant being the shepherd of the flock, I used it advisedly, and I was not speaking of any particular Lord Lieutenant. I have paid eager attention in my Office to this matter of compensating those who are maimed or injured, for reasons not necessary to detail to the Committee, and I may say that the Government regard it as a matter of great interest, and a great deal of that interest is founded on the desire not to bear heavily on the ratepayers of Ireland. The matter of the valuation of the district will, of course, be carefully attended to. The question of whether the power of the Lord Lieutenant is to be bound by the same limitations as were laid down by the Act of 1875 will be raised later; and, undoubtedly, the Report will go carefully into the question of the amount of direct and indirect complicity which lies upon the neighbourhood.

MR. SEXTON said, the right hon. Gentleman the Chief Secretary had told them, with good reason, that it would be inconvenient, and, perhaps, impossible, to specify in an Act of Parliament all that a Report was to contain; but that put the matter in a fallacious form. The Irish Members did not want to have specified all that the Report should contain; but only certain essential things that it should not fail to contain. The right hon. Gentleman had told them he thought the evidence would accompany the Report; but there must be two conditions fulfilled to make the matter satisfactory. The first condition was stated in the Bill; the other condition, though unexpressed, was equally essential. The first condition was that the crime should be agrarian, or arising from an unlawful association. Now, before the Lord Lieutenant issued a Commission at all, it must appear to him that the crime was of that character, and what security had they that the Lord Lieutenant would not consider the mere appearance sufficient for him?—

> "Where it appears that anyone has been murdered, maimed, or otherwise injured in his person, and that such murder, maiming, or injury is a crime of the character commonly known as agrarian, or arising out of an unlawful association,"

the Lord Lieutenant may do so-and-so. What was the object of inquiry? Merely to fix the amount of compensation upon the locality. The Lord Lieutenant, therefore, might, if he so pleased, exclude the agrarian character of the crime from the consideration of the Commission. The language was simple, and bore but one interpretation. Now, there were two conditions that must be satisfied. One he had already explained; the other was, that material evidence had been withheld. Sometimes this and other clauses were described as preventive; at other times as punitive; but, whether they were the one or the other, they rested on the same assumption. If they were called preventive, what was meant was that the people knew who committed murders, and if they were fined they would reveal the names of those who might commit future ones, or give evidence which would prevent future murders from being committed. If the clauses were called punitive, what was meant was that the people knew who committed murders, and should be punished for not disclosing the guilty persons. Either way, the assumption was always that the people had a guilty knowledge of the crimes. That went to the whole core of the thing, and it was evident that the Report, in order to be adequate to the case, must set forth the opinion of the Commissioners, not only that the crime was agrarian, or arising out of an unlawful association, but also that material evidence had been withheld. If there was no ground for believing that, there was no ground for the application of the clause, for it could not be justly applied to any particular district unless it was believed that a guilty knowledge existed in that district. The Irish Members could not abandon their claim to have the Report state these things. It was not such an unreasonable claim as that the Report should contain everything; but at present there was no security as to the rules to be drawn up. The Lord Lieutenant might be satisfied that the crime was agrarian, and he might withhold that matter from the Commissioners. The claim was pressed upon that point.

Mr. HEALY wished to make one suggestion. The promise that the Report should be made in the prescribed manner went some way towards meeting the views of the Irish Members, and he was satisfied with the Government for meeting it; but he wished to know whether the rules for making that Report, as in the case of the rules under the Land Act, would be laid before Parliament for a certain time? If such a provision were not in the Bill, would the Government have any objection to putting it in? He presumed there would be no objection to that. There was also another point on which he wished to say a word. There were three things mentioned in this provision—the Warrant, the Report, and the Award—the Warrant issued, the Report of the men to whom it was issued, and the Award made by the Lord Lieutenant himself. He wished to know whether, in a case where an award resulted, the Government would have any objection to lay on the Table copies of the Warrant, of the Report, and of the Award?

Mr. SEXTON said, there was also a fourth document—one on which the whole clause hinged—namely, the claim for compensation. Would they also lay that before Parliament?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I understand these questions to be addressed to me. I am not in charge of the Bill, and, therefore, I cannot say.

Mr. HEALY said, he thought it was a very extraordinary state of things for the Treasury Bench to be left in charge of a right hon. and learned Gentleman who had no power whatever, and who did not know what was going on. If the Government were dealing with the Tories in such a manner, the Tories would instantly move to report Progress. He would venture to say that when the Arrears Bill came under discussion, the Government would not leave the Treasury Bench in charge of a Member who did not know what was going on. If the right hon. and learned Gentleman the Attorney General for Ireland did not know what was going on he should send for someone who did, THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the questions which had been put did not arise out of the Amendment at all; and the question as to the Report being made in the prescribed manner had already been answered by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant.

MR. HEALY: Not as to whether the Reports are to be laid before Parliament.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, this had nothing to do with laying them before Parliament, and it seemed to him reasonable enough that those who were now in the House should deal with the matter in some way or other, when a question was raised with which the Amendment had nothing whatever to do. This was not a question which had arisen legitimately.

MR. HEALY said, it arose exactly out of the Amendment, and could arise out of nothing else. The Government had agreed upon this Amendment to state that the Report should be made in the prescribed manner, and it was only reasonable to ask whether the rules would be laid upon the Table of the House. If that did not arise out of this particular Amendment, his comprehension of the matter was very different from that which appeared to prevail on the Treasury Bench.

MR. PLUNKET said, the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, who was in charge of the Bill, had been in the House to his certain knowledge hour after hour. A suggestion was made that the Report should be in the prescribed form, and the right hon. Gentleman thought it was satisfactory, and assented to it. But a totally different matter had now arisen as to what was to be done with the rules made under a different section of the Bill altogether; and because the right hon. Gentleman the Chief Secretary was not here at the instant to give an explicit answer on the point, this attack was made upon the Government. He did think that those who were present ought to be allowed to settle this matter.

THE CHAIRMAN: The question before us is simply whether these words be here inserted.

MR. P. MARTIN said, as the Government had promised that words would be introduced on Report which would effectuate the object he had in view, he would ask permission to withdraw his Amendment.

MR. TREVELYAN: I wish it to be clearly understood what it is that I agree to. The Government undertake to introduce an extension of this clause, to the effect that the Report shall be in the prescribed form, and that the evidence shall be appended thereto. Then I have been asked some questions with regard to the nature of that prescribed form, and I answer most boldly that the subjects which the Commissioners will be called upon to inform themselves upon in such a manner as thoroughly to satisfy the mind of the Lord Lieutenant, are the valuation of the district—the power of the district to bear any given fine—and, secondly, the amount of knowledge which the neighbourhood may be said, as a neighbourhood, to have of the crime, and the amount of evidence which the people are willing to give for the discovery of the criminal. These two points will be laid before the Lord Lieutenant by the Commissioners, and he will carefully consider them.

Amendment, by leave, *withdrawn.*

THE CHAIRMAN: The next Amendment is practically the same.

MR. T. P. O'CONNOR: It is not quite the same, but I will not trouble the Committee by proposing it.

MR. HEALY moved, in page 8, line 16, after the word "direct," to insert the words—

> "Any person having taken part in such investigation shall on application be entitled to a copy of such report."

He said the Government had stated that they would make the Report in the prescribed form, and that they would add thereto a copy of the evidence given at the time of the investigation, and he presumed there would be no objection to allowing any of the ratepayers who paid the tax to have a copy of the Report. He would have no objection to the insertion of the words "where any award has been made," because, unless they considered that they had been unfairly dealt with, they would have no occasion for the Report.

Amendment proposed,

In page 8, line 16, after the word "direct," to insert the words "Any person having taken part in such investigation shall on application be entitled to a copy of such report."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT thought that the Report ought to be accessible, but, at the same time, there ought to be some limitation as to the number of copies obtainable.

Mr. HEALY said, he was quite ready to admit, as had been stated by the right hon. and learned Gentleman the Home Secretary, that it was desirable that there should not be an indefinite number of copies of the Report made. At the same time, it was desirable to make the Report accessible, and he would suggest as convenient that where an award was made it should be presented to Parliament.

Sir WILLIAM HARCOURT: Perhaps the hon. Gentleman will allow us to consider how this should be done. No doubt, in some form or other, the Report should be made accessible.

Mr. HEALY said, that, under those circumstances, he was quite willing to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. P. MARTIN moved, in page 8, line 21, after the word "or," to insert the words—

> "Provided in his opinion there is room to believe that material evidence has been withheld within the said county where the murder, maiming, or other injury may have taken place."

He said that what he wished to do was simply this—to provide that the Lord Lieutenant should not have power to award any compensation in cases where he should be convinced that material evidence had not been withheld.

Amendment proposed,

> In page 8, line 21, after the word "or," to insert the words "Provided in his opinion there is room to believe that material evidence has been withheld within the said county where the murder, maiming, or other injury may have taken place."—(*Mr. Patrick Martin.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT: I understand from my right hon. Friend the Chief Secretary to the Lord Lieutenant that this matter has already been settled. It is understood that the Report shall be made in a form to be prescribed by the Lord Lieutenant, who will consider the ability of the district to bear the rate, and the conduct of the district. That, as I understand it from my right hon. Friend, is what has taken place during my absence.

Mr. P. MARTIN said, it certainly was to be implied, from what had been stated by the Chief Secretary to the Lord Lieutenant, that if the people of the district were not shown in the Report to have withheld evidence within their knowledge, the charge was not to be imposed. But this should not be left to a mere understanding, but be made clear by inserting the Amendment in the clause. If this was not done, it might happen that although the Report sent in to the Lord Lieutenant might show that no material evidence had been withheld in the district, His Excellency might yet award the compensation. Surely that was not the intention of the Government. It appeared to him (Mr. Martin) that this Amendment was necessary as a matter of drafting, and in accordance with the clause in the Act of 1875. In the present Bill the Lord Lieutenant was to exercise the powers which, under the Act of 1875, were given to the Grand Jury, and in the Act of 1875 there was an express stipulation that the Grand Jury were not to be allowed to award compensation unless they should be of opinion that material evidence concerning the murder, maiming, or injury, had been withheld. Under these circumstances, he considered the insertion of the Amendment a question of such importance that, if refused, he felt bound to press the matter to a division. Nothing could be more monstrous, nothing could be more unwise, than that they should leave the clause in its present open condition. It had been stated by the Home Secretary that this clause was modelled on the clause in the Act of 1875—an Act introduced by a Conservative Government. Why, then, should the present Government ask the Committee to leave it to the mere will and caprice of the Lord Lieutenant to say—even though the Report he received might show there was no sympathy with crime or concealment of evidence—that this vengeance tax was to be imposed whether evidence was withheld or not?

Mr. SEXTON assured his hon. and learned Friend that whatever the assistance of himself (Mr. Sexton) and his hon. Friends was worth he should have it. The Amendment was a most reasonable one ; and, as a matter of logic and necessity, it followed upon what the Government had already granted. In the first place, a district could not be made liable at all in respect to murder, or any other crime, unless there was reason to believe that the people had guilty knowledge of the person who committed the crime. The Chief Secretary had agreed that the Lord Lieutenant should direct Commissioners to inquire and ascertain whether or not material evidence was withheld. Now, if the Commissioners were to report upon that point, for what purpose should they report except to enable the Lord Lieutenant to make up his mind on that part of the question? It followed strictly on what the Chief Secretary had granted, that the Lord Lieutenant would have to make up his mind whether the people had withheld material evidence. The Chief Secretary had talked about fettering the Lord Lieutenant's discretion. The adoption of this Amendment, however, would not fetter the discretion of the Lord Lieutenant; but it would enable him to form his judgment upon the light of principles which had been already laid down in that House.

MR. JOSEPH COWEN said, the object of the clause, as he understood it, was to put this vengeance tax on an entire community, on the supposition that that community was conniving at crime. If a community was not conniving at crime, it was most unjust and unreasonable to tax that community. No one ever attempted to put a tax upon a county in England in which a murder took place, because it was generally known and acknowledged on all hands that people were against crime. If there was a special district in Ireland where it had been proved to demonstration that the community were also against crime, it was most unfair and unjust to tax them. Where the community were in sympathy with crime, he could understand the justification or apology for the Government's proceeding ; but where it was clearly shown that no sympathy with crime existed in the district, he could not believe the people ought to be taxed in this way.

MR. BIGGAR said, that in the case of the murder of Mrs. Lea, at Rathgar, the criminals were men who had come up from the country in order to commit the crime. If this clause were allowed to pass unamended, the people of Rathgar would be made to pay this tax, the fact being that not a single inhabitant of the place knew anything at all about the crime. It seemed to him the Government were acting very unreasonably in refusing this Amendment. Unless some such Amendment as the present was adopted, it would be perfectly certain that persons who had no complicity whatever with crime would be called upon to pay this police tax.

MR. TREVELYAN said, he was very glad to find from the observations of the hon. and learned Member for Kilkenny (Mr. Martin) that there was no doubt in the Committee as to the importance of the statement he (Mr. Trevelyan) made some time ago. The hon. and learned Gentleman said that he intended to proceed to a division on this Amendment. He (Mr. Trevelyan) could hardly imagine any Amendment to the Bill on which a division might more properly be taken, for it raised the question between those who had, on the whole, full and absolute confidence in the Irish Government and those who could hardly be expected to have that full and absolute confidence. The hon. and learned Member asked whether the Government meant to impose what he called a vengeance tax, whether the criminal was given up or not? This clause had two objects. It had the object of compensating those who had suffered in limb or who had suffered by the ruin caused to a family by the violent death of its bread-winner—it had the object of compensating them for having done their duty in performing their legal obligations and in supporting the law. The second object of the clause was to deter the community from crime. With regard to the second point, it was obvious that direct or indirect complicity of the neighbourhood—complicity before or after the fact—would have to be carefully taken into consideration ; but the Government were not willing to be bound by the extremely hard-and-fast line which was laid down in the Act of 1875. They considered that justice would be done to the individual, and that injustice to the community would be avoided if the Lord Lieutenant was left with this latitude which he (Mr. Trevelyan) believed His

Excellency would be very well able to exercise. The circumstances were to be taken into consideration in the Report of the Commissioners, and the Government were unwilling to be bound by any hard-and-fast rule with regard to the nature of the complicity of the community in the crime. As he had said, the two considerations which would weigh very greatly with the Government were the ability of the district to pay the compensation, and the guilt and innocence —he did not want to use any offensive term—the guilt and innocence of the district with regard to the outrage complained of. He was very sorry that he could not accept the Amendment; but in going to a division they would feel they were taking a vote on a subject which was well worthy of the attention of the Committee.

Mr. MARUM said, there was one point which the right hon. Gentleman had not referred to. It was plain that, under the clause as it now stood, there would be a distinct encouragement to people to come forward and state they apprehended crime in the hope of escaping taxation.

Mr. P. MARTIN said, with all respect for the right hon. Gentleman the Chief Secretary, he thought he had used an appropriate and justifiable phrase in calling this a vengeance tax. It could not be contended by its imposition crime had been prevented, or evidence procured. The present clause was taken from the Westmeath Act introduced when Lord Spencer was Lord Lieutenant of Ireland. Yet no one spoke more strongly as to the uselessness of this principle of compensation, and the injustice inflicted in its working, than Lord Spencer himself.

The CHAIRMAN said, the hon. and learned Member was travelling beyond the limits of the Amendment.

Mr. P. MARTIN said, he was endeavouring to show that the clause would not prevent crime arising in any district.

The CHAIRMAN said, the point before the Committee related to the withholding of material evidence. The hon. and learned Member could not enter upon the consideration of the general merits of the clause.

Mr. P. MARTIN remarked, that he was endeavouring to show that this clause would not prevent evidence being withheld. Lord Spencer, speaking of the Westmeath Act, said—

> "My experience of the Act, I must say, led me to the conclusion that not a single case of murder or outrage was prevented by that Act."

And then the noble Earl went on to say—

> "I found it was constantly doing great injustice; two or three people being justly punished, while 20 or 30 suffered unjustly."

He (Mr. Martin) asked the Committee to bear these words in mind when they came to decide on the Amendment. After this strong opinion thus expressed by the present Lord Lieutenant, were the Committee prepared to impose what he must again call this vengeance tax upon the unfortunate districts of Ireland at the mere discretion and arbitrary will of the Lord Lieutenant?

Mr. SEXTON said, the Chief Secretary had developed a new theory—complicity in crime—which was very alarming, and which might become exceedingly grave in its consequences. Up to the moment of the Chief Secretary's last speech, he (Mr. Sexton) always understood that people, in order to be liable to a tax of this kind, would have to have guilty knowledge of crime. Now there was a new phrase used by the Chief Secretary. The right hon. Gentleman talked about complicity in crime, and he gave as the reason for refusing to accept the present Amendment, that material evidence had been withheld. He said, moreover, that it might not be desirable to fix and define the precise value of the complicity which would make a district liable to this tax. Were the people to have such knowledge, before or after the crime, as to enable the authorities to set out on the proper path for the detection of the criminal? If an unpopular man, such as an Irish landlord who had been guilty of any tyrannical acts, were shot or maimed, would the absence of any manifestation of sorrow on the part of the people be taken as evidence of complicity?

Mr. O'DONNELL said, it was evident that if material evidence was withheld, or if such evidence was not forthcoming, the Government were determined to impose this vengeance tax upon the locality. He could not see, moreover, that if material evidence was not forthcoming, that in itself was evidence of guilty knowledge on the part of the people. He was struck by the declaration of the Chief Secretary that this was precisely one of the cases in which the Government wished to go to a division, because this was a case in which they could go to a division on the point of confidence. He expected from the Chief Secretary something more novel than that, because the political "confidence trick" was the oldest piece of sleight-of-hand at the disposal of the Irish Administration.

Question put.

The Committee *divided*:—Ayes 32; Noes 92: Majority 60.—(Div. List, No. 192.)

MR. SEXTON said, the Lord Lieutenant had, amongst his many delicate duties, to determine the amount to be given by way of compensation. The Amendment which he was about to move proposed to aid the Lord Lieutenant in the performance of this duty by laying down the principle on which the Lord Lieutenent should be bound to act. The Amendment was as follows:—Clause 16, page 8, line 22, after "just," add—

"Provided, That the amount awarded for compensation shall consist of such sum, in the nature of special damages, as may be proportioned to the actual injury sustained by the claimant or the party or parties represented by him. No compensation shall be awarded in respect of any murder, unless the claimant or the party or parties represented by him shall have sustained some pecuniary loss by the death of the murdered person."

He supposed that no effort would be seriously made to contend that the compensation to be given under this clause should extend beyond the actual pecuniary loss sustained either by the person applying, or, in the case of a murdered person, by the representative of the murdered person. He was strengthened in moving this Amendment by what was said by the Chief Secretary. The right hon. Gentleman said this clause had two aspects; and, in dealing with the aspect of compensation, he said that in case of loss of limb, the person so injured would be compensated to the extent of his less capacity to earn money; and in the case of a murdered person, compensation would be paid to his family in proportion to the loss they had sustained by the death of the bread-winner. He (Mr. Sexton accepted that principle. In the case of a man being murdered, the amount of compensation paid should be in proportion to the income his family had lost by his death. In the case of a person injured, the principle of compensation was very clear. No one would contend that a man should be compensated for the pain he had suffered or for the disfigurement of his frame. Such a man should be compensated for his less capacity for earning money. In the case of murder, it would be a great error to compensate a man's family for their natural agony of feeling; but, in awarding compensation, the tribunal appointed to determine the amount to be paid should strictly confine itself to the consideration of what was the pecuniary loss sustained.

Amendment proposed,

In page 8, line 22, after the word "just," to insert the words "Provided, That the amount awarded for compensation shall consist of such sum, in the nature of special damages, as may be proportioned to the actual injury sustained by the claimant or the party or parties represented by him. No compensation shall be awarded in respect to any murder, unless the claimant or the party or parties represented by him shall have sustained some pecuniary loss by the death of the murdered person."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, that by the Amendment a principle would be laid down which was not contained in such clauses in any former Acts. In the Act of 1870 the compensation had no such limitation at all. Under that Act the compensation was to be just and reasonable, and was to be paid to the personal representative of the person murdered, quite irrespective of the consideration whether the personal representative did or did not suffer pecuniary injuries. It was provided by that Act that applications might be made by the personal representative or by the next-of-kin of any person murdered, or by any person maimed or injured, or by the Crown Solicitor of the county, or any person in their behalf authorized by the Lord Lieutenant. The latter provision was made because it was feared that if the person interested made the application himself he might be subject to intimidation, or might share the same fate his relative had just undergone. If a woman's husband had been murdered it was fair that she should be compensated, and it was thought necessary that application might be made by other parties on her behalf. He was bound to say that something more than mere pecuniary compensation ought to be given to the injured person. The compensation ought to take the shape, in some respect, of a *solatium* for the misery, the life-long misery, inflicted on the friends and relatives of the murdered man—the compensation involved that consideration, and it also involved the consideration of the penalty of the deed itself. The Act of 1870 was carefully drawn, and no such limitations as those proposed in the Amendment of the hon. Gentleman (Mr. Sexton) should be included; and he (Sir William Harcourt) certainly could not consent to depart from the language which was used in that Act, or consent to a declaration that where a person was murdered and left behind him anyone who suffered by his death, the compensation paid should only be paid in respect of any pecuniary loss they sustained.

Mr. HEALY said, the right hon. and learned Gentleman could not have understood the Amendment, for his speech was altogether beside the Amendment. The Home Secretary had gone into the question of a *solatium* for murder. The exact terms of the Amendment were that—

> "The amount awarded for compensation shall consist of such sum, in the nature of special damages, as may be proportioned to the actual injury sustained by the claimant or the party or parties represented by him. No compensation shall be awarded in respect of any murder, unless the claimant or the party or parties represented by him shall have sustained some pecuniary loss by the death of the murdered person."

The right hon. and learned Gentleman had stated that he could not depart from the Act of 1870. That seemed a very good argument for the right hon. and learned Gentleman now; but it was a very bad argument half-an-hour ago—for half-an-hour ago, when the Irish Members proposed to take the Act of 1870 as their standpoint, that standpoint was declined by the right hon. and learned Gentleman with thanks. The right hon. and learned Gentleman had been unable to show any reason why this Amendment should not be accepted; but his only argument was that it would defeat the entire Bill. He was glad they had now the presence of the Prime Minister, because he ventured to think he would not fall back upon the stale and musty Act that was passed 12 years ago. Why should the Government object to the compensation paid being in proportion to the actual injury sustained? Would the Government say that the amount given in compensation should not be proportioned to that injury?

Sir WILLIAM HARCOURT said, let the compensation be proportioned to the injury; let the compensation to the father be proportioned to the injury he suffered from the death of his son, though that son was no pecuniary profit to him, and then insert this Amendment, which ended by saying that the measure of the injury was only the pecuniary loss. He (Sir William Harcourt) agreed that the compensation should be in proportion to the injury, but not that it should be in proportion to the pecuniary loss; and that was what he meant when he said that the element in this case was to be the element of *solatium*. He did not know whether the hon. Member (Mr. Healy) understood the meaning of that word. It was that element which distinguished the matter altogether from this Amendment, which said—

> "There shall be no compensation awarded in respect of any murder, unless the claimant or the party or parties represented by him shall have sustained some pecuniary loss by the death of the murdered person."

That was the proposition against which he had contended, and that was not the proposition which had always been involved with these clauses, whether in the Act of 1870, or any other Act upon which these clauses had been founded. It was not a sound principle; and it was because this Amendment proposed to limit and to define the compensation solely by the pecuniary loss that he objected to it. The whole circumstances of the case were to be taken into consideration under this clause. The claim was made for compensation, and the Lord Lieutenant might dismiss the claim if he thought fit, or might award such sum as compensation which he thought just. The Lord Lieutenant, under this clause, would take into consideration all the circumstances of the case. He would take into consideration who the person was who was murdered, and what was the position of the relatives of the murdered person, and he would not be governed or confined solely by the consideration whether those persons had or had not sustained pecuniary loss by the death of those who were near and dear to them.

Mr. PARNELL said, the little outburst of the right hon. and learned Gentleman would have been very becoming behind the footlights of a transpontine theatre. It afforded the Committee a very fair indication of the kind of light in which the right hon. and learned Gentleman viewed this matter. He had just intimated to the Committee that the father could be compensated for the death of his son by a sum of money. The compensation was to be a *solatium* for the loss the father had sustained—[An hon. Member: He does not understand the word.]—or it was to be a *solatium* to the son for the loss of his father. That was the measure of the right hon. and learned Gentleman's appreciation of the loss. It appeared that he believed that such a loss could be compensated, and that was one reason why he held to the clause as it now stood. The right hon. and learned Gentleman would show the people of Ireland, by presenting them with this clause, or those of them who had the unhappiness to lose a father or other relative by such a terrible calamity as murder—he would exhibit this compensation as the measure of their loss. That was not a sound principle, and it was a principle which the Committee ought not to adopt. He thought the principle involved in the Amendment of his hon. Friend (Mr. Sexton) was a sound one — namely, that where pecuniary loss could be proved, pecuniary compensation should be given; but to hold out to a people that this was the estimate of the British Parliament of the loss which they had incurred, and that they were to be compensated by a *solatium*—which, he supposed, the right hon. and learned Gentleman knew the meaning of—and that this *solatium* was to be paid out of the pockets of starving people who had had no part or hand whatever in the assassination, was a thing pitiable to contemplate. What did the hon. Member for the County of Galway (Mr. Mitchell Henry) say this evening, speaking with local knowledge? The hon. Gentleman came from a county where there had been many of these outrages and murders, and he stated that if the Government proceeded to give compensation according to the ideas of the right hon. and learned Gentleman, the result would be that the poor inhabitants of Galway would be left without food and without the means of carrying on their occupations. They would be left, in fact, to face sheer starvation. The hon. Member for Galway gave it as his opinion that these murders were not committed by the humbler classes—[Sir William Harcourt: Hear, hear!]—and that was the opinion of the right hon. and learned Gentleman the Home Secretary. Well, the Irish Members would submit an Amendment by-and-bye which would test the *bona fides* of the right hon. and learned Gentleman, excepting the poorer classes of the community, or persons who might seek the benefits of the Arrears Bill, from the purview of this fine. Well, then, it was not the poor people of the locality who had any hand in the commission of these murders. They were committed by strangers, according to the hon. Member for Galway, a statement in which the Home Secretary had just agreed; and yet the Home Secretary was going to give a *solatium* out of the bread provided for the mouths of the wives and children of the poor people of these districts—at the expense and loss of that bread he was going to give this so-called *solatium*, and he expected an Irishman who might lose a relative, or who might have lost a relative, to feel that he had received a *solatium*, when he knew that the cost of that *solatium* was the starvation and wretchedness and ruin of his fellow-countrymen.

Dr. COMMINS said, the Home Secretary had stated that none of these clauses in similar Acts had failed; but that was certainly the worst argument he could advance in favour of this clause. There had been 53 Coercion Acts for Ireland since the Union, and this Bill was about the most practical condemnation of the failure of every one of those 53 Acts that could be made. If the Home Secretary would only condescend to look at the provision which was made in the English law, when the object was not a vendetta, when the object was not to take the last crust from starving people, but when the object was to give compensation to people who had actually suffered injury, he would find that a very different principle was acknowledged and was contained in this Bill.

It was hardly possible that the right hon. and learned Gentleman could not be acquainted with the provisions of Lord Campbell's Act; but if he was not, no doubt some of the right hon. and learned Gentlemen who were sitting opposite him would be able to inform him that that Act only provided for compensation for pecuniary loss, although the mental pain and agony would be quite as grave in the cases contemplated by that Act as the cases which would come under this Act. [Sir WILLIAM HARCOURT: Railway accidents.] Lord Campbell's Act was not confined to railway accidents, but it had reference to every case of loss of life through the negligence of any individual. The loss of life occurring through a railway accident would inflict quite as much pain and sorrow, and would create quite as great a blank in the lives of those to whom the compensation was given as the loss of life by crime. In the case of crime, of course, the law already made provision for gratifying those wounded feelings, for gratifying any desire for revenge which, by the way, seemed to be a very important object in this Act. In the case of loss of life by murder the murderer might be hanged, and it was hoped that a little more consideration would be given by the Government to this point. Lord Campbell's Act restricted the amount which should be given, and it restricted the persons who should receive the compensation. It specially and in terms provided that the only compensation which could be given was to be measured by the loss sustained. Very calm deliberation presided over the consideration of that Act. No passion entered into the matter; no political purposes were to be served by it. Possibly there might have been an outcry in the country in favour of the Act; but that popular outcry was mixed up with vindictive feelings, and in the end Parliament decided that the compensation should be based upon pecuniary loss, and upon pecuniary loss alone. The reason of that was not very far to seek. It was really upon the surface, for it was plain that wounded feelings, that bereavement, that loss to a family of a father or a child, were things that could not be measured by any standard known to the law, and could not be compensated for in money at all. Why not adopt the same rule here as was adopted in Lord Campbell's Act? Lord Campbell's Act, too, provided against fraudulent claims that might arise, inasmuch as it restricted claims for compensation to a very small and limited family circle; for instance—

> "Compensation can only be claimed by a father, mother, wife, or child of the deceased person."

Why was there not some restriction like that in this Act? The reason given by the Home Secretary was certainly the most singular one he (Dr. Commins) had heard for a considerable time. It was, that it might be supposed that if near relatives were to make the claim, they might possibly be exposed to the same fate as their relatives. The same argument would apply to every kind of claim, and, in fact, it was really no argument at all. It was clear, from the construction of this clause at it now stood, that the object was not so much to compensate the parties who suffered the loss as to inflict a kind of vendetta upon the neighbourhood in which crime had been committed.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, it must be within the knowledge of most Members that before Lord Campbell's Act, if a person was killed by accident no possible action could be brought, and, consequently, however much a family might be deprived of the means of living by the death of the head of the family, there was no remedy for them. Before that Act was passed, if a person was injured, however slightly, he might obtain damages far beyond the personal injuries. There was no analogy between Lord Campbell's Act and this Act. The Home Secretary had said that *solatium* was a term well known to the law of England and to the law of Scotland. This section was inintended to be punitive and deterrent; but if the Amendment were adopted, the person who was about to commit the murder might pick out as his victim a very rich man or a very poor one, so that no persons would suffer any loss by his death. In this way the object of the section would be absolutely frustrated. It would be frustrated because there would be no pecuniary loss sustained by the death of the murdered man; in fact, the Amendment would almost give a licence to crime.

MR. SEXTON said, he had heard nothing in the speeches of right hon.

Gentlemen opposite which led him to doubt the soundness of the Amendment. The Home Secretary had propounded to the Committee the extraordinary doctrine that the agony of a father or mother who had lost a son by murder, of a wife who had lost her husband, or of a child who had lost his father could be compensated for by cash. Surely such a doctrine would not find acceptance for a moment in any other country but this. Even in cases where women brought actions against men—in cases of breach of promise, for instance—the jury did not estimate the damage to be awarded according to the wounded feelings, but according to the loss in establishment, and according to the woman's pecuniary loss. The only thing that could be compensated for in money was the loss of money. They could not apply compensation with money to a matter to which money was not relevant. In this matter there seemed to be a difference between the Lord Lieutenant and the Home Secretary, and he (Mr. Sexton) only wished the Home Secretary had been in his place when the Chief Secretary gave his view of this matter, and said that if a man lost a limb and, with it, his power of earning money, this charge was to compensate him on that account; and if the head of a family were taken away, the family were to be compensated on account of the loss of the bread-winner. That was the only proper way to read this clause. The argument of the Home Secretary, to the effect that the anguish of a family was to be compensated for by a money payment, was simply an outrage upon human feelings. If they did not confine themselves to giving compensation simply for pecuniary loss, and if they allowed the people of Ireland to see that they were giving luxurious prices to people for the murder of their relatives—[" Oh, oh ! "] —well, what else was it? If the compensation was to be something more than compensation for pecuniary loss, what was it but a *solatium* for wounded feelings, or the fixing a price on the lives of people's relatives? At any rate, that was the only way in which it would be received in Ireland, and the result would be that the people would find it impossible to pay back the rent to the landlord as well as this tax to the relatives of murdered or injured people—either the poor people would not be able to pay the tax, or they would pay it out of the rent due to the landlord.

MR. GIBSON said, he wished from the bottom of his heart that this discussion could be carried on gravely, and without references and allusions calculated to raise a smile, or to provoke a semblance of ridicule. He had heard with a feeling of pain that which was entirely incongruous upon this day—the reference on the part of an hon. Member (Mr. Parnell) to a transpontine theatre, and various other allusions which were certainly not suited to a day when the soil of Ireland was wet with innocent blood. He was as much an Irishman as any man in that House, and he was as jealous and as proud of the honour and credit of his country. He did not think, however, that that was a time when they were in a position in Ireland to apply epithets to Englishmen in reference to the value of human life. It was all very well to use grandiloquent diction about not being able to measure by money the agony and the tears of the widow or the orphan. God knew there were widows and orphans enough left in Ireland now to bitterly mourn the loss of their relatives! But that was no reason why they should say to those who were bereaved, in the hour of their affliction—to the widow, " We know that you have lost your husband "—to the children, " We know that you have lost your father; but your loss is so terrible that we put no money value upon it, that we cannot attempt to measure it in the only way that is left for us to appraise it." At all events, that House could do something. It could make assassination dear, and it could make the widow and the orphan feel that, if they had been deprived of the bread-winner, they had not, at any rate, suffered in material prosperity. If they taught in a neighbourhood that murder, instead of reducing widows and orphans to ruin, would leave them in as good as or in a better pecuniary position than before, it might be a lesson which would come home to those who spurned every kind of moral and religious teaching. Although it might be no comfort to the broken heart of the widow, although it might not compensate the children not old enough to realize the appalling character of their loss, it might still teach a lesson to those who could not otherwise be reached, and it might tend to induce the dwellers in the neighbourhood for the future to be guarantors of human life, and of law and order. If this Amendment were carried, it would certainly not, in his opinion, be any improvement to the Bill, and he could not himself give to it any support whatever. The arguments he had listened to did not commend themselves to his judgment or his understanding. The suggestion that they were to measure crimes committed with every circumstance that could be imagined of brutality and cowardice—where the murderer selected his opportunity—where, from behind the loopholed wall that protected himself, he despatched his victim without warning—the suggestion that they should compare such crimes as these with the loss of life in a railway accident, was a thing that shocked every feeling of humanity. He had uttered the words that had passed through his mind, feebly giving expression to the strong conviction that animated his own breast. He could not but feel that at this time, when Ireland was too much a subject of observation, it would be better for them as rapidly as they could—or, at all events, without unduly prolonging discussion—to pass a measure which he hoped would, to some extent, however imperfectly, tend to restore to that country the blessings of law and order, and to free it from the foul stains of crime which at present disgraced it.

Mr. JUSTIN M'CARTHY said, he fully felt the solemnity of a debate of this kind at a time like the present, and he should not, therefore, be led away into any observations with regard to anything that had been said as to matters which were really irrelevant to the question at issue. The right hon. and learned Gentleman who had last spoken had said that they ought to make assassination dear. Well, he (Mr. M'Carthy) said that too. He should be glad to make assassination dear by every means that could bring the terrible responsibility home to those who committed such crimes and those who encouraged them. He should like to make assassination dear by inflicting the penalty of death on the assassins, and, if they had any means to atone to the relatives of their victims, by taking away from them what they possessed. What were they going to do under this clause? They were not talking about extracting money from the pockets of the assassins, but from the pockets of those who were practically innocent people, to compensate the relatives of the victims of assassination. His hon. Friend who had moved the Amendment had made two points very clear in it, and though he (Mr. M'Carthy) could not discuss them as a lawyer, yet he must say that they seemed to him to be in full conformity with common sense and justice. First of all, the hon. Member pointed to the fact that this compensation would be drawn from a number of persons who could not be implicated in the crime; and then he said—"You are bound not to make such a compensation larger than is just or reasonable." He also said—"Let money compensate for the loss of money, but do not try to compensate for the deepest agony of the human heart by a cash payment." He (Mr. M'Carthy) could think of nothing likely to add more to the grief of some bereaved daughter, or widow, or father, than the announcement that the Imperial Government, in sympathy with their sufferings, and in order that they might be lightened of their load of anguish, tendered them so many golden sovereigns. He hoped the House of Commons would resolutely set itself against a principle of that kind. What people lost in money they were entitled to have made good to them in money, even though the money came—and in this case it must come—from the pockets of many persons who had no more share in the guilt of the murders than the victims themselves. But when they went further, and said—"You must levy your charge so as to make an impression upon the neighbourhood, and teach all persons, poor and rich alike," he said they were doing that which was much more likely to bring the law into contempt and to sow the seeds of murder than to put an end to outrage of this kind. He did not think that the recent crimes in Ireland should make them rush through the present Bill without discussion. They should draw a lesson and a warning from the past. There had already been 53 Coercion Acts, and they had failed to do anything to restore law and order. Therefore, he argued that they could not be induced by the result of the coercion policy in general to rush through this new Coercion Bill, which would have the same effect as those which had gone before it.

MR. O'DONNELL said, he certainly thought that, if by any means they could enhance the value of human life, they should endeavour to adopt those means; but, although he had listened to the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), in his favourite character of the affectionate eulogist of Ireland, he had failed to see that the considerations the right hon. and learned Gentleman had referred to were really more germane to this discussion than to a great many others to which he (Mr. O'Donnell) could call the attention of the Committee. Deplorable murders had taken place in Ireland; but he had read in the evening newspapers that two more corpses supposed to be murdered were taken today out of the Thames, and that one of the bodies was evidently that of a respectable man, who must have met his death under singularly scandalous circumstances. There was a reasonable principle in this Amendment—namely, that as far as loss could be remedied by the payment of money it should be so remedied; but that where it could not be so remedied it was a mere pretence to believe that it could be. However, he did not intend to go at any length into arguments for apparently the hopeless purpose of proving to some right hon. and hon. Members on both the Front Benches that nothing but a loss of money could be compensated for by a gift of money. Doubtless, any arguments he (Mr. O'Donnell) could use would fail to reach minds of the altitude of theirs; but he would point out that, on the face of it, the arguments by which the proposal of the Government was supported were intrinsically absurd. If they were in any way to attempt to apportion the blood tax in the case of murders according to the ties that had been wrenched and to the depth of suffering and misery of a permanent character that had been caused, then they had no ground for leaving in this clause means by which an aristocratic sorrow might be silenced by a gift of £10,000, whilst they would attempt to quiet the sorrow of the poor over a similar loss with a gift of £50, £100, or £500. The Government proposed, in the levying of this tax, not to be guided by considerations of the sorrow that had been caused and of the misery that had been produced, because there would be as much pain and suffering produced in a poor home by a murder as there would be in a wealthy one. Under this Bill, Her Majesty's Government would exact ten times the satisfaction for the suffering in a wealthy home as for the suffering in a poor home; and if Her Majesty's Government acted on this principle, the result of their action would be to spread amongst the people a sense of injustice and of the hypocrisy of the Government measure and the Government policy. The Amendment of his hon. Friend the Member for Sligo (Mr. Sexton) would really tend to repress crime, because it would be perfectly certain of obtaining the moral sanction of the consciences of the people. It was a broad, a free, and a just principle that in such cases real material loss, and only material loss, could be compensated by material means. The Irish people would look with very different eyes upon a proposal of that kind to the view they would take of the proposal of the Government. As his hon. Friend the Member for Longford (Mr. M'Carthy) had reminded the Committee, this measure, if passed by the Government, would in no way tend to make assassination dear, in the only sense in which a wise Legislature ought to desire to make assassination dear, because the innocent as well as the guilty—the overwhelming majority of the innocent as well as the miserable handful of miscreants—would be taxed and fined and, perhaps, reduced thereby to ruin and misery. In all probability, whilst the innocent were paying this fine, the miscreants who were guilty would not be taxed at all. And let him remind the Committee that it was the fundamental argument of the Government case on this Bill that numbers of these murders were committed by the emissaries of distant organizations. A murder was committed, say, in Galway, by an emissary who might be sent from Tipperary, Waterford, or Cork; and the proposition of the Government was that Galway should be taxed merely because it was the scene of the murder—that the innocent people surrounding the theatre of the crime should be taxed and brought to the verge of ruin, whilst the assassins sped back to their own distant locality, having easily eluded the police, who were more skilled in detecting patriotism than in detecting and repressing crime. Of course, this Amendment of his hon. Friend would be rejected, like all the best Amendments that had come from the ranks of the Irish Party during the progress of the Bill. Of course, the Government would carry their unamended clause. But in three years' time they would come back to that House with the confession of another ignominious failure and the demand for another Coercion Bill, and with the curses of the Irish race on account of English misgovernment ringing in their ears.

Question put.

The Committee *divided:*—Ayes 26; Noes 146: Majority 120.—(Div. List, No. 193.)

Mr. HEALY said, the next Amendment on the Paper was one which he should think the Government would have no difficulty in accepting. It was simply a formal Amendment.

The CHAIRMAN said, the hon. Member for Westmeath (Mr. T. D. Sullivan) had an Amendment on the Paper before that.

Mr. HEALY said, he wished to ask whether the Amendment of the hon. Member for Galway (Mr. T. P. O'Connor) did not come before that of the hon. Member for Westmeath (Mr. T. D. Sullivan)?

The CHAIRMAN: No; the Amendment of the hon. Member for Westmeath was to omit all Sub-section 4.

Mr. HEALY said, that if the Amendment was negatived, it would prevent Amendments being proposed to the sub-section.

The CHAIRMAN: I shall put the Question in such a way as not to interfere with subsequent Amendments.

Mr. T. D. SULLIVAN said, he rose to move that Sub-section 4 be omitted:—

> "The said sum shall be a charge payable by such district and in such instalments as the Lord Lieutenant may by warrant order."

He moved that this sub-section be left altogether out of the Bill, because he contended that it was unfair to charge this compensation upon any district in Ireland, or upon the country at all. He regretted the disorder and disorganization that existed in Ireland; but he thought the responsibility for it rested with the Government. He thought that it had done so for a long period, and that it did so at the present moment. The present of Ireland was due to its past. The present of Ireland was as much owing to its past as was the present of England due to the history of England.

The CHAIRMAN: Order, order! I must remind the hon. Member that the Committee has already decided that an investigation is to be made, and the Lord Lieutenant may, if he thinks fit, award a sum in compensation. The question, therefore, is simply how that sum is to be paid, and not the question of the general policy of the Government.

Mr. T. D. SULLIVAN: I am free to move, I presume, that the sub-section be left out?

The CHAIRMAN: Yes.

Mr. T. D. SULLIVAN said, he was going, then, to show to the best of his ability why the sub-section should be left out. He could not propose that the charge should come on the British Exchequer, because it was not open for any private Member to make such a proposal. A proposal necessitating the imposition of a tax upon the people, or a charge upon the national funds, could not be made by a private Member. His contention was that this charge should not be made upon a particular district, and that whatever charges were made should be paid by the Government of England, because upon the Government, to his mind, rested the responsibility of the murderous outrages and the assassinations that had taken place in Ireland. He was contending that all the breaches of law and order which had taken place of late in that unfortunate country had resulted from misrule at the hands of the English Government and the English House of Commons. That being so, he contended that it was only right that compensation for the murders should be paid for out of the National Exchequer of England.

The CHAIRMAN: If the object of the Amendment of the hon. Member is to throw the payment of this charge upon the National Exchequer, he is not entitled to move it.

Mr. T. D. SULLIVAN said, he was aware he should not be within his right in making such a proposal, and, therefore, he did not make it. He merely threw out the suggestion to the Government and to the Committee. He merely expressed views of his own, and contended that all these troubles in Ireland sprung from misrule in the past and in the present. The Irish Members had stated in that House over and over again—and events had proved the truth of their assertions—that the recent legislation of this country had been productive of crime and disorder. That being so, it was only fair to suggest that those who had done the harm should cure it. As he had been endeavouring to point out, England was rich and powerful because of its past, and Ireland was poor and miserable and disturbed and distracted because of its past. How could Ireland be otherwise under the Governments to which she had been subjected? He thought it fair to argue that this sub-section, which would have the effect of imposing this tax upon small and limited districts in Ireland, should be left out, and that it should be left to the Government to propose that the burden should be borne out of the public funds. England was rich because of her conquests——

THE CHAIRMAN: I must again remind the hon. Member that he is not speaking to the Amendment. I must request him to speak exactly to his Amendment.

MR. T. D. SULLIVAN said, that perhaps he had put his view sufficiently before the Committee. He had been very anxious to bring it before them. The Committee would take it for what it was worth—or, rather, he would not say for what it was worth—because he did not suppose the Committee appraised any Amendment coming from that (the Opposition) side of the House at its proper value. Let them take it, to deal with it as they chose. He would put this argument forward, at all events, that all this trouble, which he very much lamented, had come upon his country because of British misrule. ["Order!"] Was he not free to say that he regretted the disorders and the crimes which had taken place in Ireland? He did regret them. There was no Irishman, he supposed, either on Irish soil or in any other country, who had the mind and spirit of the true Irishman, who was not grieved to the heart and wounded to the soul by these deplorable occurrences. He regretted them, and he resented these charges that it was tried to make upon the Irish people. It was because he resented the misfortune and shame and trouble that had been put upon his country by misgovernment, that he argued that those who had done the harm should pay for it—that those who had made the mischief should mend it.

Amendment proposed, in page 8, line 23, to leave out from the word "The," to the word "order," in line 24, both inclusive.—(*Mr. T. D. Sullivan.*)

Question proposed, "That the words 'the said sum' stand part of the Clause."

MR. HEALY said, that, seeing that England robbed Ireland annually of £2,250,000, the proposal of his hon. Friend was a fair and reasonable one. He should like to point out to the Government the extraordinary fact that while they asked that this compensation should be paid in respect of murders, they themselves had brought in a measure to relieve tenants from the payment of rent, where that rent was payable to landlords. He would ask the Government, were these people, who, to obtain the benefit of the Arrears Bill, had to be so poor that they could not pay the rent that was due from them, to pay the assessment the Home Secretary would put on them under this Bill? The extension of this provision for three years back by the acceptance of the Amendment of the hon. Member for Leitrim (Mr. Tottenham) brought this question into great prominence. After the harvests had been bad for three years, to say that poor people in Ireland could pay this new tax that it was proposed to throw upon them would be a splendid argument for the Tories when the House came to deal with the Arrears Bill. They would be able to say—"Surely, if these people can pay this tax, they can pay their rents." He would make right hon. Gentlemen opposite the present of this argument. He would put it to the Government—were they really acting consistently in this matter? They admitted that at least the sum of £2,000,000 would have to be expended on the payment of a year's rent under the Arrears Bill, and, that being so, what were they to think of the same Government which, while proposing to cancel arrears to the extent of £2,000,000, proposed to make this provision retrospective, as far as the past two years were concerned, in regard to compensation for malicious injury? Surely the Home Secretary could not have considered, when he shaped his policy on this Bill, what had been the previous policy of the Government in Irish legislation. It appeared to him (Mr. Healy) that the matter was so plain, and his argument was so irrefutable, that he trusted they would have some statement from the Government in regard to the point he had raised.

Mr. REDMOND said, he trusted that before they proceeded to a division on this matter, they would be favoured with some sort of opinion from the Government. ["No, no!"] An hon. Gentleman said "No, no!" and he knew that in these matters the Government were only too ready to be dictated to by hon. Members on the Opposition side of the House. He would point out to the Government that their present manner of meeting Amendments with contemptuous silence was not the way to facilitate the passage of this Bill through Committee, and he must express the strong opinion he entertained, that if this Bill had been conducted in a different manner, they would, ere this, have reached the termination of the Committee stage. ["Oh, oh!"] Well, that was only an expression of his opinion. No doubt, hon. Gentlemen who, by their silence, supported and contributed to the action of the Government in this matter in prolonging the consideration of this measure, were not likely to agree with him. On this Amendment, and on all similar Amendments brought forward by the Irish Members, hon. Gentlemen on the other side, who were so ready to shout down Irish Members speaking from those Benches, would consult, not only the better despatch of Business, but also the dignity of the House, if they refrained——

The CHAIRMAN: The hon. Member has not yet approached the Amendment.

Sir WILLIAM HARCOURT rose—

Mr. REDMOND said, he respectfully begged leave to conclude his observations before the right hon. and learned Gentleman commenced his speech. He agreed with the hon. Member for Westmeath (Mr. Sullivan) in the arguments he had addressed to the Committee, and he supported him in his endeavour to deprive the Lord Lieutenant of the power of levying money to meet these claims in certain districts of Ireland. That power could be exercised in impoverished districts which would come under the provisions of the Arrears Bill. It might be used to ruin the people of such districts, and he could only say that, if it were given, he considered the difficulties of the Government in Ireland would be materially increased, because there would not only be the difficulty before them of being obliged to give the assistance of the forces of the law to enable the landlords to enforce payment of their rents; but they might also have the difficult duty imposed upon them of being obliged to collect this tax. It would be out of place for him to tell the Irish people not to pay the tax. He would do no such thing; but he did not hesitate to say that the Government would find very great difficulty in the levying of a tax of this kind, which would not be looked upon by the people in the light of an obligation, but simply as a matter of injustice.

Sir WILLIAM HARCOURT said, he would just ask the Committee to consider what the character of this Amendment was, and then put it to them whether or not it was a *bonâ fide* proposal upon the discussion of which they ought to waste time. The object of the Amendment was to provide that the sum should not be a charge payable by a district, but that it should be charged on the Consolidated Fund. The hon. Member, as he himself admitted, knew perfectly well that he had not the power to make such a proposal. The Amendment, therefore, was a perfectly illusory one, making the clause nonsense, and he (Sir William Harcourt) had only to say that he would not be a party to the waste of time that would be involved in discussing such a thing.

Mr. T. D. SULLIVAN said, the right hon. and learned Gentleman implied that there was no fund from which this money could come. [Sir William Harcourt: No.] He was fairly stating the purport of the right hon. and learned Gentleman's argument. When money was wanted by the Government for any nefarious purpose in any part of the world, it was provided easily enough. His contention was that he had put forward a fair argument, and that he had not risen for the purpose of moving an illusory Amendment. He spoke from conviction, and his conviction was that this evil work in Ireland was the result of misgovernment, for which the Government and the Imperial Exchequer were responsible.

THE CHAIRMAN: I must again explain to the hon. Member that the general argument is altogether out of place.

Question put.

The Committee *divided*:—Ayes 168; Noes 28: Majority 140.—(Div. List, No. 194.)

Amendment proposed,

In page 8, line 23, after the word "shall," to insert the words "if the Lord Lieutenant think just."—(*Mr. Healy.*)

Amendment *agreed to.*

MR. HEALY said, in the absence of his hon. Friend the Member for Galway (Mr. T. P. O'Connor), he begged to move the Amendment standing in his hon. Friend's name. If his hon. Friend were present, he would probably have asked the Committee that the assessor sent to assess the claims in the locality should state to the Lord Lieutenant, in his Report, whether there was any desire on the part of the inhabitants in the locality to conceal crime. He (Mr. Healy) would remark that that was a very material matter indeed. He contended that where a murder had been committed, and the murderer had been given up and convicted, no punishment ought to fall on the people of the district, because it was clear from the fact that conviction had taken place that they were not in sympathy with the crime. Now, the Government had made two statements at different times which were contradictory of each other—namely, that this clause was punitive as well as preventive in its object. The Committee were entitled to know which of these statements was the correct one. If, as in the case which he had put, someone had been punished for the offence committed, whom else was it necessary to punish? So much for the punitive object of the clause. Again, if the clause were to be preventive, seeing that the person who had committed the crime had been given up, why did the Government want the clause? He regarded this Amendment as the touchstone of the conduct of the Government, and he challenged the right hon. Gentleman the Chief Secretary to the Lord Lieutenant to say if he would make it one of the conditions of the Report to the Lord Lieutenant that the assessor should state whether there was any desire in the district to shield crime, and, in the event of the criminal having been convicted, whether he would state that the locality was still to be punished for the murder.

Amendment proposed,

At the end of the foregoing Amendment, to insert the words "if no person is convicted for participation in the crime in respect of which such claim arises."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, the Government were unable to accept this Amendment. With regard to the declarations proceeding from that Bench, and to which the hon. Member for Wexford had referred, he remarked that he was only responsible for those which he himself had made. He believed, however, that his statements had been made in the clearest manner, and that they were not only understood, but, to a certain extent, accepted by a very large part of the Committee. The hon. Member for Wexford spoke of the Government having distinguished between the characteristics of this clause by saying that it was both preventive and punitive. Now, nothing could be clearer than what he himself had said on that point. It was that the clause was intended for the purpose of compensation and for the purpose of punishment. The two characteristics, then, of the clause were that it was compensatory and punitive. He had stated that one great object of the clause was to give compensation to those persons who were seriously maimed or injured, and to the relatives of those persons who were killed and were deprived of support in consequence of the person murdered having fulfilled his legal obligations to support law and order in the district. He had stated that it was necessary for the Lord Lieutenant to take into consideration all those circumstances, and that he would be obliged to give great weight to the question as to whether or not the district was guilty in the matter; but he did not say that, if the criminal were discovered and punished, there would be no ground for compensation. For the purpose of prevention it was by no means necessary that, if the criminal were discovered, a district should not pay. It was the object of the Government that the district should pay, because the liability to payment of the kind not only converted every man into a detective to discover crime after it had occurred, but made him also a constable for its prevention. He repeated that the Government had stated that great attention would be paid to the question as to whether the district sympathized or not with outrages; but he certainly did not intend to convey the impression, and it would be quite contrary to his intention if he had done so, that, in case the district had no sympathy with the crime, if a claim was made no compensation whatever should be given.

Mr. HEALY said, in that case they were to understand that, where a criminal was caught, the district would still have to pay. That being so, supposing a murder to be committed, what good would it do anybody to give up the murderer? ["Oh, oh!"] Hon. Members objected to that; but, seeing that he did not take the smallest heed of the opinions of hon. Gentlemen opposite, they could hardly expect that their roars would have any effect upon him. He was arguing from the view of the locality itself. The Government said that, whether the locality gave the offender up or not, they would have to pay for the crime which he had committed; and he was contending that the people in the locality would say—"What good will it do to us to give up the murderer?" He said it was a matter of indifference, from the point of view of the locality, whether, under the circumstances indicated by the Chief Secretary to the Lord Lieutenant, they gave up the murderer or not. Englishmen did not know much about it; they were more concerned with persons who murdered their sweethearts and kicked their wives to death. The Home Secretary said the clause was for the purpose of compelling the district to pay whether the murderer had been given up or not, and to see that justice was done in the future. Thus, it would be seen that, as the Irish Members pressed their Amendments upon the Government, the Government changed about from one side to the other until they were driven to their last ditch, and then they said they were going to pass the clause anyhow. It was a great pity that time would not permit them to refer to the past statements of Ministers when this Bill was introduced into the House; but he ventured to say that, were it otherwise, he should have no difficulty in proving that this Amendment ought to be accepted from the statements which the right hon. and learned Gentleman the Home Secretary himself had made on the first reading of the Bill. He could not congratulate the Committee on the attitude they had taken up with reference to this matter.

Sir STAFFORD NORTHCOTE said, he did not know what the opinion of the Committee might be; but it appeared to him that if they were to listen to such language as had just been used, they would really be allowing themselves to be drawn into a position altogether unworthy of them. They had heard the hon. Member for Wexford, in the coolest possible terms, discussing what interest a district would have in giving up a murderer, and they felt themselves in consequence brought to argue these questions on a level to which they were unaccustomed, and to which he sincerely hoped not only Englishmen, but the great body of Irishmen were also unaccustomed. With regard to the particular proposal before the Committee, and the arguments by which it had been supported by the Government, it appeared to him that there was no cause whatever for charging the Government with inconsistency in the view which they had taken. They said there were two objects in view—one, to provide compensation for the unfortunate people who were made the victims of these outrages and murders from no other cause than having had the courage and the honesty to obey the law; and, further, they said it was their desire to put a check on the murders committed in Ireland by fining the district in which those murders took place. As the Chief Secretary observed, that fine, if placed on the outrages, whether there was a conviction or not, ought to have, and would have to a certain extent, the effect of interesting the whole district in preventing a murder from taking place, which was even more important than detecting it afterwards. This was a perfectly sound and legitimate reason, and he believed that provisions similar to these had been adopted in former times with good effect. His object, however, in rising, was to say that they ought not to allow such language as had just been used by the hon. Member, for it amounted almost to an apology for murder, or, at all events, to the minimizing of the crime, and was, moreover, calculated to do injury, and to promote crime more than anything else.

MR. STOREY said, the right hon. Baronet the Member for North Devon had charged the hon. Member for Wexford with using language which tended to bring the discussion to a low level. But he felt it his duty to point out to hon. Members opposite that it was not the hon. Member for Wexford who had brought the Committee to its present level; it was the Government and the Bill. The Bill was nothing else than an appeal to the cupidity of the Irish people. The Government held that the Irish people were coerced by secret societies, and proposed to remedy that condition of things by coercing their pockets. It was the Government, therefore, who were to blame for compelling the Committee to consider this sordid question of interest. He would like to point out to the right hon. Gentleman the Chief Secretary to the Lord Lieutenant an additional consideration with regard to this clause. It was the contention of the Government — from which, however, he dissented—that Ireland at the present time was inhabited by a large number of people who were coerced by a limited section of the community. Suppose a murder took place in a district where a great majority, or, at any rate, a large proportion, of the inhabitants were well-affected towards law and order, but were under intimidation. Now, he asked the Chief Secretary to the Lord Lieutenant upon what principle of justice would he, when the law had been justified by the conviction of the offender, proceed to assess damages, not against the sympathizers of the murderer, but against the people who were intimidated? ["Oh, oh!"] Hon. Members cried "Oh!" but probably they had not done him the honour to follow his argument closely. He was saying that the Government contended that a large section of the people were intimidated, and yet they were now proposing to assess the damages upon those intimidated persons and compel them to pay. He had put it to the right hon. Gentleman whether that was just, and he would now ask him whether such a course was likely to encourage those who were well-affected to continue to be well-disposed towards law and order? He admitted that there was much to be said with regard to cases in which offences had been committed, and the perpetrators of them had not been discovered; but, surely, if it were desirable that the district should be fined at all, the fine should be confined to those who sympathized with the crime. It might be well that a fine should be levied upon a district in a case where the offenders had not been discovered; but when the criminals were brought to justice, he could not see the justice, the wisdom, or the policy of fining a district in which the majority or a considerable portion of the people were well-affected towards law and order.

MR. SEXTON said, he thought the right hon. Baronet the Member for North Devon must have addressed the Committee with a very vague idea in his mind of what he was about to say. No doubt the right hon. Gentleman thought it would be dignified and becoming in him to refer to the remarks of the hon. Member for Wexford; but he seemed to have formulated his opinion no further than to say that such language ought not to have been used without taking the trouble to inform the Committee what that language was, or for what reason the hon. Member for Wexford was not entitled to employ it. What had the Government said? They said that the district was to bear a pecuniary loss as compensation for the injuries done to individuals, and for the feelings of grief suffered by their relatives. Secondly, they said the object was to teach the inhabitants of the district that their interest lay in discovering these murderers—to teach them, in fact, to become detectives for the discovery of crime, as the Chief Secretary to the Lord Lieutenant had described it; that they would have to pay, whether the murderer was discovered or not. Now, he could not conceive a more legitimate use being made of that argument than was made of it by his hon. Friend the Member for Wexford, who contended that, from the point of view of the locality, it was undoubtedly all the same to the people whether the murderer was discovered or not. He would leave the right hon. Baronet the Member for North Devon to make what use he chose of that explanation. If the right hon. Gentleman must attack someone, let him attack those who first introduced the argument. The right hon. Gentleman the Chief Secretary had attempted no answer to the argument of his hon. Friend the Member for Wexford. If this clause was intended to be preventive, how could the Government hope to prevent crime by better means than by stringing up the individual who committed it? The clause would not be before the Committee at that moment but for the fact that murders had been committed in Ireland and remained undiscovered. Now, if a murderer were detected and hanged, he said that the crime committed by him was taken out of the extreme category and placed in the category of ordinary crimes—justice, the law, and society having been satisfied by the punishment of the offender; and he was unable to see why, in the case of discovery, this clause should be applied at all.

Mr. A. PEASE said, that the Amendment, if it were adopted, would tend to the prevention of the discovery of crime, because people would have an interest in keeping it undiscovered, in order that they might claim compensation under the clause.

Mr. MOORE said, he thought the principle of the Peace Preservation Act of 1875 ought to be followed, and that a fine should not be inflicted unless material evidence were withheld. That was strictly in accordance with the Act to which he had referred, which said that no presentment should be made unless the Grand Jury making the same should be of opinion that material evidence concerning the murder, maiming, or injury, in respect of which such presentment was made, was withheld by any person resident in the district. If the murderer was freely given up, he did not think that the inhabitants of the district who were unfortunate enough to have the crime committed in their vicinity should be made to pay. That principle had been previously enforced, and he thought its application should be renewed at the present time.

Mr. HEALY said, he rose for the purpose of expressing his surprise at the arguments of the right hon. Baronet the Member for North Devon, especially as they proceeded from a Gentleman who suggested that, in the interests of the Jews, oceans of blood should be shed in Egypt.

The CHAIRMAN said, that the hon. Member must confine himself to the Amendment before the Committee. The hon. Member had made use of expressions insulting to an hon. Member.

Mr. HEALY said, he was, of course, very glad of the ruling of the Chair—that Members of the Committee should not be insulted. The Government were under the impression that, by laying a sufficient tax upon districts in Ireland, they would be able to stop the murders committed there. John Bull could see nothing in matters of this kind but his pocket.

Sir JOHN LUBBOCK rose to Order. He wished to know whether the hon. Member was speaking to the Amendment before the Committee?

The CHAIRMAN said, he had not yet observed that the hon. Member was out of Order.

Mr. HEALY said, he sympathized with the amateur Chairman opposite in the position in which he had placed himself. He was about to say that the idea entertained by the Government, that they could prevent crime by levying compensation upon the district in which it was committed, in the manner now proposed, was peculiarly English, and one which did not obtain in other civilized countries. He would point out that hitherto money fines had had no effect whatever. Murders were committed in 1875 under the Peace Preservation Act; and if men of savage passions wished to carry out their deeds of blood, the mere fact that other people would suffer would not deter them from their evil acts. Seeing that the sufferings of their victims had not stopped those men, it could not be supposed that money from English pockets would have any effect. This was a thoroughly English proposal; but it was useless for Irish Members to argue against it, seeing that their arguments had not the slightest effect upon the Committee.

Mr. DILLON said, a complaint had been made a short time ago about the debate having been reduced to a low level of argument; but the hon. Member for Whitby (Mr. A. Pease) had reduced it to a somewhat lower level, because he announced, as an extraordinary discovery, that the conclusive reason why this Amendment could not be accepted was that it would cause the relatives of a murdered man to screen the murderer. If that was the frame of mind of the relatives of a murdered man, he could only say that they were people capable of committing murder themselves, and for the lowest possible motive—namely, robbery. The only proper way to deal with such persons was to send them to some savage island; and he wished the Government would take charge of them, and get them out of the country. He hoped no hon. Member would accuse Irish Members of bringing down the argument to a low level after that, because it would tax the ingenuity of any Member, English or Irish, to find a lower argument than that of the hon. Member for Whitby. This Bill was a mass of incongruities and irreconcilable propositions. A few nights ago the Government said that these murders were not committed by persons residing in the district. That was thrown in the face of Irish Members when the Strangers' Clause was under consideration, and they were assured that the murders were committed by strangers; but to-night the scene had been changed, and now the people of a district were to be made responsible for every murder; and the hon. Member for Galway (Mr. Mitchell Henry), who professed to be personally acquainted with all the murderers, had assured the Government that none of the murders were committed by poor men, but by rich men. The Government had said that these murders were also committed by strangers and the paid agents of secret societies, and yet it was proposed that a district containing poor men was to be heavily taxed for the work of strangers sent by secret societies, no matter whether the murderer was discovered or not.

THE CHAIRMAN: The hon. Member is talking against the clause, and not against the Amendment.

MR. DILLON said, his argument was against taxing a district when a murderer was discovered. The Amendment proposed that if a murderer was to be discovered the district should not be taxed, and he was pointing out the injustice of taxing a district because a stranger came there and committed a murder, and was subsequently detected. He could not see that the Government had advanced any argument in favour of their proposal. If they said they felt so strongly the desirability of recompensing the unfortunate victims of these crimes and outrages, and that they were willing to accept an Amendment to the effect that the whole Province should bear the tax, then Irish Members might be inclined to withdraw this Amendment on the ground that the tax would not fall as a crushing weight upon any individual. He protested against the poor being taxed for outrages, because he could not appreciate the difference between a man shot to death and a man starved to death by a slow process. He could not see the justice of saying that a whole district was to be starved because an agent came from another district and committed a crime, and the reason why he opposed the clause so strongly was that there was likely to be a frightful amount of injustice. The Government had given no intimation that they would accept the Amendment to widen the district of taxation, in order that the taxation should not be greater than the crime for which the tax was levied.

MR. O'DONNELL said, the view of the Government in opposing this Amendment was really that of a Government who, on their own principles, offered an inducement against the discovery of crime. He could understand a district in which a murder was committed, and in which the murderer had not been detected, being mulcted in a heavy fine. That was perfectly logical. But if the money fine was to be used to induce the population to give up criminals, then he could not see the logic of punishing the district, whether a criminal was surrendered or protected. If a district was to be punished exactly in the same manner whether it gave up the criminal or not, then what was the good of giving up the murderer at all? The right hon. Baronet (Sir Stafford Northcote) had risen in a fit of interesting emotion, and denounced the hon. Member for Wexford (Mr. Healy) for his most cogent and necessary question, which laid bare the heart of the Ministerial policy. The Government wished to work this clause on the lowest and most sordid motives to induce a district to give up a criminal? If they did that, why should they fine a district even when it gave up a criminal? If they fined a district equally when it gave up a criminal and when it did not, then what was the good, on the lowest sordid grounds, to which the Government appealed, of giving up a criminal? The whole clause destroyed the professed object of the Government policy, and because the hon. Member for Wexford

(Mr. Healy) said that he was attacked by the right hon. Baronet the Leader of the Opposition, but was not defended by the Chief Secretary, who knew right well that he was answering cogently, and in the most straightforward manner, the statement of the Chief Secretary himself. There was hardly a less manly course than to attack a man for fair logical argument. Of course, on moral grounds and honourable grounds, it must be worth the while of every district, even in the face of pecuniary considerations, to hand over criminals to justice; but that was not the ground on which the Government stood. They said they would fine a district whether it gave up the criminal or not; and the hon. Member for Wexford rightly asked what, on these principles, was the good of helping the Government to detect crime? A less manly exhibition he had never witnessed in the House.

Colonel MAKINS said, he had not hitherto taken part in this discussion; but he wished to call the attention of the Committee to the fact that the Irish Members below the Gangway were arguing only on one view of this clause. They took it for granted that murders would be committed, and they argued on the *ex post facto* ground that the main value of this clause was not so much whether it caused a district to give up a murderer or not, as it was to make it the interest of everybody in the district to prevent murders taking place. The chief value of this clause, in his mind, was in its effect in preventing crime, rather than in the fining of a district where a murder had been committed.

Mr. TREVELYAN said, the hon. Member for Dungarvan (Mr. O'Donnell) had misapprehended his argument. It was not a question of fining. It was well understood that the question whether a district should be fined would be taken as an element in arranging the amount of compensation; but the Government did not wish to be debarred from giving any compensation.

Mr. T. P. O'CONNOR observed, that the hon. and gallant Member (Colonel Makins) had said that he had interposed for the first time in this discussion. He thought it was very reasonable for the hon. and gallant Member to refrain from taking part in the discussion, and, in his opinion, it would have been more reasonable if he had read the clause before he did intervene. The hon. and gallant Member said the object of the clause was to prevent murder, and not to deal with cases where murder had been committed; and, apparently, he could not spare time before speaking to read the clause, or he would have found that the first words of the clause were—"Where it appears that anyone has been murdered." Consequently, this clause could only come into operation when a murder had been committed. The hon. and gallant Member said the object of the clause was to prevent murder, and accordingly, conversely, he denied that the clause could only come into operation when a murder had been committed. When he (Mr. O'Connor) put down this Amendment, he rather flattered himself that he was acting as a docile pupil of the Home Secretary. That was not very pleasing; but he thought he would take the right hon. and learned Gentleman at his word. What had the right hon. and learned Gentleman said, over and over again, in regard to this and similar clauses? The Government said they wanted to make it the interest of these districts that murder should not be committed, and, in order to make it their interest, they would fine the districts if they did not come forward and help in the detection of the murderer. The Amendment was exactly on the same lines, for it was provided that if, in regard to a murder, it was found that a district had done its duty, what became of the necessity for fining the district, by way of making it the interest of the district, as the right hon. and learned Gentleman, reducing the argument to a very low level, had proposed? What was the necessity for the district being punished, when it had given up the murderer? If Irish Members proposed Amendments contrary to the Home Secretary's principles he denounced them; if they proposed Amendments in accordance with the views of the right hon. and learned Gentleman he treated them as a convenient prelude to an all-night Sitting.

Mr. O'DONNELL accepted the view of the Government that they should do all in their power to prevent the commission of crime and murder; but which was the best way to do that—by maximizing the chances of detecting the criminal, or merely relying upon the general deterrent effect of the money fine? If, in addition to everything else, the Government could make the money fine act as an inducement to the detection of crime, then the Irish Members could be with them. He did not, in the slightest degree, fail to see the strength of the argument of the Chief Secretary in a certain roundabout way. The indiscriminate taxation of a district, whether a murderer was discovered or not, might be said to be a deterrent to crime; but why should the Government propose in the same clause, and in the same breath, two preventives of crime so entirely unequal? The greatest possible preventive of crime—and that was the root of the idea of this Bill—was that crime should be detected and punished. That was the best way of preventing crime; but to impose a heavy fine upon the locality where a criminal had not been detected would not tend to the detection and punishment and crime. Did not the Government, to a large extent, weaken their arguments when they left it absolutely uncertain in a district to what extent they would fine the district, even if they handed over the criminal to justice? That was a point which constituted a practical answer to the distinction drawn by the Chief Secretary; and the reason why he (Mr. O'Donnell) abstained from laying special stress upon that point when he addressed the Committee last was due to the fact that he was drawing particular attention to the argument, which, so far as it went, was a fair argument. It was advanced by an Irish Member in a fair way, and for advancing it in that fair way he had been vilified, and had received no reparation for the scandalous misrepresentation and misinterpretation of his opinions.

Question put.

The Committee *divided*:—Ayes 37; Noes 206: Majority 169.—(Div. List, No. 195.)

MR. R. POWER said, he wished to move a Proviso to the effect—

> "That no charge shall be finally settled or approved of by the Lord Lieutenant in such form that the sum to be levied shall exceed in the whole the amount of one shilling upon each pound of the valuation of the district upon which same shall be charged."

He wished, in moving this Amendment, to say that, so far as the clause itself was concerned, if he thought that any line or word of it would reach the cowardly assassins who had disgraced Ireland, he would not seek to alter or add to it in the least degree. But all the reports they received led them to anticipate an exactly opposite result. If it would be a judicious thing to inflict a penalty of this kind on districts in Ireland, he should like to know why they did not inflict the same penalty on districts in England? They could not for one moment say that murders of a serious and disgraceful character did not take place in England. To show how unequal and unjust would be a tax of this description, he would mention a case which had been mentioned two or three times before—the case of a lady who lived at Rathgar, in Dublin, and whose property was somewhere in the Midland Counties. She went up to Rathgar and was there murdered, and under this clause the inhabitants of that place would be taxed for the crime, although there could be no doubt that it was committed by the people on the property in the Midland Counties, or at their instigation. About seven years ago there was a case in County Clare where a man came before a Grand Jury and was awarded £87, the injuries that he was supposed to have suffered having been of the slightest description. He (Mr. R. Power) had been told afterwards by many of the gentlemen of the county that they never heard of a more disgraceful thing than the awarding of such a sum to a man who brought forward no substantial evidence to show that he had suffered any material injury at all. His (Mr. R. Power's) objection to this clause was that they might virtually ruin a district in Ireland by the taxation they could impose under it. It was all very well for them to say that they would not impose a very heavy tax on the people, or that the people would be able to meet it; but he held in his hand a Return of the amount which was levied in 1870 upon certain districts in Ireland for crimes supposed to have been committed. He would only take three or four instances. In the first place there was the case of Donegal. Six extra policemen were sent down there and quartered on the county. The charge was one of firing at the person, and the amount levied was £1,473, which made a poundage of 2*s.* 3¼*d.* Well, they all knew that many parts of Donegal was very poor country, and the fact of a poor farmer there being obliged to pay 2*s.* 3*d.* in the pound was very serious. But in the case of County Leitrim the number of extra police sent down was five. The charge levied was £6,167, and the poundage amounted to 4*s.* 7*d.* They could not overrate the significance of a tax of 4*s.* 7*d.* on a very poor person. Next, in County Mayo, which was certainly one of the poorest counties in Ireland, he found that the charge levied was £6,167, the poundage being 5*s.* 3*d.* In Leitrim, again, which was another of the poorest counties, the poundage was no less than 8*s.* 8*d.* To take from a tenant a poundage of 8*s.* 8*d.*, in addition to the poor rates and the county cess, it would be absurd after that to ask him to pay his rent, because it would be a practical impossibility to get anything in the shape of rent from him. He (Mr. R. Power) could not understand how any landlord in that House, or any man who had an interest in Ireland, could get up and support a tax of this description. It had been said that the reason this tax had been proposed was to stop outrage. If he thought for a moment that it would stop outrage he should be the last to move any Amendment; but it had been said that the men who committed outrages were men who lived in the locality where those outrages occurred. That he altogether denied. Before the Select Committee it was distinctly pointed out that the men who committed these outrages came from other counties and other districts, so that if the district in which an outrage was committed was punished, in all probability innocent people would suffer, whereas the district that was really guilty would get off scot free. He would not weary hon. Members by going into the evidence that was brought before the Select Committee on this question. He would merely refer to the evidence of Captain Talbot, a police magistrate in Dublin. This witness declared that the men who did the outrages did not belong to the district in which they were committed, but came from adjoining or other districts. Captain Talbot further said he was informed that the well-disposed had consented to pay the tax. He stated that in Mullingar he had been obliged to recommend that the tax should be remitted in the case of a number of poor householders, who, it was found, were altogether unable to meet the charge—he had made a schedule of some 20 or 30 names which had been submitted to the Government. Then Mr. Reid had given evidence to the same effect, and another witness, Mr. Boyd, who was brought up to support the case of the Government for the imposition of the tax, when asked whether he wished to make any observation, said he looked upon the area and incidence of taxation as so faulty as to injure the feeling of loyalty of those who ought to be their best men. The witness said it was in their knowledge that at the present moment, from a tax recently made for outrages, some of the best public men in his county had become reduced in circumstances, and if that kind of thing went on these innocent people would be ruined, whilst those who were guilty would escape. Mr. Mooney, another gentleman brought forward by the Government, and also asked to give his views as to the tax, said he considered the tax for additional police a most iniquitous one, and not only useless, but calculated to produce a feeling of irritation in the minds of loyal people. Then Dr. Nulty, Bishop of Meath, had given evidence against the proposal to levy compensation. It was not necessary that he (Mr. R. Power) should pursue the evidence given before the Select Committee any further. To his mind it was quite conclusive. He had no doubt in the world that the innocent people of localities in Ireland would be taxed heavily, and that many of them would be ruined if the Government chose to carry out this rate; whereas the men who had committed the outrages, and who had planned these dastardly murders, would escape all consequences, and would never be known to the Government. He felt that this was an unjust tax upon the innocent people of a locality. He believed not only that it was unjust, but that it was most impolitic. It would make some small farmers actually beggars—it would pauperize them—and they all knew that there was nothing in the world that bred discontent so much as poverty. If they made these small farmers and tenants beggars and sent them strolling about the country with no means of subsistence, as they had already done in many parts of Mayo and Galway, the results would be disastrous. It was almost impossible for a tenant, even at the present moment, to pay the rent the landlord demanded from him; and when, in addition to that rent. they imposed upon him a tax of 7*s.* or 8*s.* in the pound, a condition of things would be brought about which would be most disastrous to British rule in Ireland.

Amendment proposed,

In page 8, line 24, after the word "order," to insert the words—"Provided, That no such charge shall be finally settled or approved of by the Lord Lieutenant in such form that the sum to be levied shall exceed in the whole the amount of one shilling upon each pound of the valuation of the district upon which same shall be charged."—(*Mr. Richard Power.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, the hon. Member referred to evidence which he presumed was evidence taken by the Select Committee on the Westmeath Bill. He (Sir William Harcourt) had not had the opportunity of examining the evidence on that clause; but it seemed to him that the other day when the evidence given before the Westmeath Bill Committee was quoted, it was convenient to hon. Members to show that it went in the opposite direction. Whether that was so or not he had not had an opportunity of examining; but this fact, at least, he knew, that after that evidence was given, Parliament dealt with this very subject, and enacted in the Westmeath Act this very provision, without any modification, which they had introduced into the present clause—that the sums should be levied by instalments. That, in his opinion, was really a matter which met the objections of hon. Members, and which prevented the charge from becoming inordinately oppressive. It was in the present clause, and it was in accordance with the judgment of Parliament, after hearing the evidence to which the hon. Member had referred. It seemed to him to be a fair argument upon that ground that a good deal that the hon. Member had said was more against the whole spirit of the clause than in favour of the Amendment. He (Sir William Harcourt) would only say that their experience after the Act of 1870 was that there was a remarkable diminution of crime in Ireland. Experience had shown that this clause would not be without effect.

COLONEL BARNE said, it seemed to him that the hon. Member for Waterford (Mr. R. Power) wanted to make murder cheap.

MR. SEXTON rose to Order. He wished to know whether any hon. Member was entitled to say that another hon. Member wished to make murder cheap?

COLONEL BARNE said, he begged the hon. Member's pardon. He did not mean to say that the hon. Member (Mr. R. Power) wished to do murder cheap—he did not mean anything of the sort. What he meant was that the hon. Gentleman did not want persons in Ireland who committed these crimes to be fined very heavily.

MR. R. POWER said, he had distinctly said that if he thought the tax would reach murderers he would not object to it; but it was because he thought the clause would not reach them, but would only affect the innocent, that he had brought forward his Amendment.

COLONEL BARNE said, that the hon. Member wished only 1*s.* in the pound should be charged on a district on account of an outrage which might be a murder. The assessments of Ireland were sometimes very low, so that a district, on account of a murder, might have to pay only 2*s.* 6*d.* or 3*s.* poundage, which would be a very small sum; and what they really wanted to do was to deter people from committing these crimes, or from sheltering murderers. If a man was only to pay 2*s.* 6*d.* or 5*s.* the clause would lose a deal of its deterrent effect. He thought it would be far more advantageous to make a guilty district pay a heavy fine than a light one. The hon. Member (Mr. R. Power), however, said that these murders and outrages were all committed by strangers; but he would ask were they strangers who murdered the two bailiffs, and put them into the Loch at Loughrea? There was no doubt that these bailiffs went into the district to serve warrants, and were murdered by the inhabitants of that district and put into the Loch. If these people living round the Loch had known before they murdered the bailiffs that they would have to pay a very heavy fine, they would have thought twice before they put those men into the Loch. He trusted that, under these circumstances, the Amendment would not be allowed.

MR. T. P. O'CONNOR said, that the hon. and gallant Gentleman (Colonel

Barne) had not been very fortunate in his intervention in a discussion on an Irish question. Apparently the hon. and gallant Member had not had the courage of his convictions on this matter, because he (Mr. O'Connor) saw an Amendment in his name on the Paper, which provided that for a murder the rate to be levied should be not less than 10*s*. in the pound. If he (Mr. O'Connor) were not misinformed, the hon. and gallant Member had run away from that Amendment.

Colonel BARNE said, he was out of the House when his name was called.

Mr. T. P. O'CONNOR said, his hon. Friend (Mr. R. Power) had said that murders were sometimes committed by strangers, and the hon. and gallant Gentleman who followed him (Colonel Barne) had asked, "Who put these two bailiffs into Loughrea?" Well, he (Mr. O'Connor) knew Loughrea pretty well, and he would inform the hon. and gallant Gentleman that in order to commit a murder there, as had been suggested, it would have been necessary to have had rather a heavy shower of rain, because there was no river and no lake at Loughrea. No doubt the hon. and gallant Member had had in his mind the murder which had taken place at Lough Mask. The right hon. and learned Gentleman the Home Secretary had spoken of evidence given against this Amendment; but he had neglected to tell them what that evidence was. His hon. Friend (Mr. R. Power) had read in a most fair and candid manner the evidence given before the Committee by Mr. Mooney, a well-known solicitor, Dr. Nulty, a Catholic Bishop, Mr. Archibald Boyd, one of the wealthiest landlords, whose name in his district was a household word, not, he was afraid, in a popular sense, but as one of the most exacting landlords in the place, and yet he had been one of those who distinctly denounced this blood tax. Mr. Boyd had too much reason to claim to be an authority upon this subject, because, unless he (Mr. O'Connor) was very much mistaken, he had often been himself the subject of outrage. The other people who had given evidence in support of his hon. Friend's view were three magistrates, and he did not think there were altogether more than 12 witnesses examined. Here, then, they had six witnesses—five of them most important witnesses—examined before the Select Committee, every single one of whom opposed the blood tax as doing more harm than good. He (Mr. O'Connor) did not see why the Government should object to this Amendment. A charge of even 1*s*. in the pound would be an extremely heavy tax on the unfortunate people, 999 out of 1,000 of whom would be unable to pay it. He felt convinced that, instead of inducing people to come forward and give evidence, this blood tax, if imposed, would operate in exactly the opposite direction as a preventive. The feelings of the Irish people would revolt against acting in any degree in the interests of the blood tax, so that the clause, which was intended to put down crime, would absolutely tend to its further concealment.

Question put.

The Committee *divided*:—Ayes 33; Noes 177: Majority 144.—(Div. List, No. 196.)

Mr. P. MARTIN said, the next Amendment was in his name, and he intended to move it because he thought it perfectly right that it should be provided under this Act for payments to be made by instalments. His Amendment was—

> "Provided every such warrant shall set forth the valuation of the district proposed to be charged, the number of yearly or half-yearly instalments, if any, by which the said sum is to be raised or levied, the poundage rate necessary for raising or levying the same, and the grounds upon which the same has been charged upon the district."

The Lord Lieutenant in Ireland was substituted for the Grand Jury, and when they were framing the Act of 1875, after considerable discussion, it was determined that a similar safeguard to that he was proposing should be adopted. It was not inserted in the Act of 1870; but it was incorporated in the Act of 1875, after considerable debate, in which the Irish Members were assisted by hon. Gentlemen on the Liberal side of the House, some of whom he believed were now sitting on the Treasury Bench.

Amendment proposed,

In page 8, line 24, after "order," insert "Provided every such warrant shall set forth the valuation of the district proposed to be charged, the number of yearly or half-yearly instalments, if any, by which the said sum is to be raised or levied, the poundage rate necessary for raising or levying the same, and the grounds upon which the same has been charged upon the district."—(*Mr. Patrick Martin.*).

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it was totally unnecessary to adopt the Amendment. The reason the Act of 1875 set forth these things was because the Act of 1870 did not do anything of the kind. The Act of 1870 provided that money should be provided in the same way as the Grand Jury cess, and did not provide for its being raised by instalments—it could only be levied in one sum; accordingly in the Act of 1875 the alteration was made. Under the 4th sub-section of this clause, the sum was to be

"A charge payable by such district and in such instalments as the Lord Lieutenant may by warrant order."

Again, in the 2nd sub-section of the next clause, it was set forth that the charge payable by any district

"Shall be applotted rateably upon all rateable hereditaments in the district, and shall be payable by the occupiers thereof."

What the hon. and learned Member required was, in point of fact, in the Bill.

MR. T. P. O'CONNOR said, he would suggest to his hon. and learned Friend that he should not proceed with his Amendment, not merely on the ground the right hon. and learned Gentleman the Attorney General for Ireland had set forth, but because of the different elements which would have to be considered in filling up the warrant.

MR. P. MARTIN said, that with the permission of the Committee he would withdraw the Amendment.

MR. PARNELL asked whether the Government would object to bring in a clause to provide that Returns should be laid on the Table giving particulars as to the districts charged, the poundage rate, and the grounds upon which it had been charged?

SIR WILLIAM HARCOURT said, he would consider that point.

Amendment, by leave, *withdrawn.*

MR. T. P. O'CONNOR said, he wished to move the following Amendment, after "order," in page 8, line 24, for the hon. Member for Wexford (Mr. Healy):—

"Every person who shall make any claim for compensation under the provisions of this section in respect of any injury to his person shall, within one week after the crime out of which such claim arises has been committed, unless prevented by illness or other sufficient cause, make information on oath and in writing before a justice of the peace for the county in which such offence was committed, setting forth the facts connected with such crime, and stating whether he knows the persons implicated therein, or any of them, and in such case he shall enter into a recognisance to prosecute such offender or offenders by indictment or otherwise, according to the laws of this realm."

If the Government would not accept such a small Amendment as this, he would ask them whether they were prepared to adopt any limit to the time during which a person could claim compensation? He moved this Amendment *pro formâ*, in order to give the Government an opportunity of making a statement on the matter.

Amendment proposed,

In page 8, line 24, after the word "order." to insert the following sub-section:—"Every person who shall make any claim for compensation under the provisions of this section in respect of any injury to his person shall, within one week after the crime out of which such claim arises has been committed, unless prevented by illness or other sufficient cause, make information on oath and in writing before a justice of the peace for the county in which such offence was committed, setting forth the facts connected with such crime, and stating whether he knows the persons implicated therein, or any of them, and in such case he shall enter into a recognisance to prosecute such offender or offenders by indictment or otherwise, according to the laws of this realm."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, he could not accept the Amendment in its present form, because, if he did, it would include the whole question which was discussed earlier in the evening with regard to offences committed before the passing of the Act. They could not, consistently with what had been said on this matter, agree to this proposition, although, no doubt, there ought to be a period of limitation. The claim ought not to be indefinitely postponed, but the time specified in the Amendment was too short. The Government would themselves propose an Amendment.

MR. GILL said, he would ask the right hon. and learned Gentleman whether he would also insert in the Bill words to provide that in regard to outrages committed before the passing of the Act application for compensation should be made within a certain time after the passing of the Act?

Sir WILLIAM HARCOURT said, he would so.

Amendment, by leave, *withdrawn.*

Mr. T. P. O'CONNOR said, he had another Amendment to move for his hon. Friend the Member for Wexford (Mr. Healy), as follows:—To insert, in line 24, after "order," the words—

> "Provided, That no single instalment in payment of any such charge shall exceed the sum of two hundred pounds."

That, he thought, ought to meet almost any case they could imagine. He saw that even in the excessive charges found fault with by Bishop Nulty, £800 was the maximum compensation awarded to the relatives of a murdered person. To meet that there might be only four instalments over the year. He did not know what the Government proposed to do with regard to the next clause; but, according to the section as it stood, they would have a right actually to assess this tax on a part of a parish—on a small holding, if they liked. He thought, therefore, that this maximum of £200 might be very fairly adopted.

Amendment proposed,

> In page 8, line 24, after the word "order," to insert the words "Provided, That no single instalment in payment of any such charge shall exceed the sum of two hundred pounds."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he agreed that everyone administering the Act would believe it was in the interests of the Government not to make the charge so oppressive as to produce general and well-founded disaffection in a district. When a maximum of this kind was proposed, the argument against it was similar to the argument against the adoption of the charge of 1*s.* in the pound. It would depend upon the assessment of a district—£200 might be an oppressive tax on a small district, whereas it might be a very small one on a large district; therefore, it seemed to him it was impossible to fix a maximum of this kind unless they had some maximum and minimum district fixed, and that they did not propose to have. It therefore seemed to him that they could not accept the Amendment. It must be left to the authority to decide this matter according to the magnitude of the district.

Amendment, by leave, *withdrawn.*

Mr. SEXTON said, that after what the right hon. and learned Gentleman the Home Secretary had just said, he was inclined to regard with some hope the possibility of the acceptance of the Amendment he was about to move, because the right hon. and learned Gentleman had said the Government did not desire in any case to make the fine so excessive as to unduly press on the people. His (Mr. Sexton's) proposition was to add, after the word "order," in line 24, the words—

> "Provided, That the district on which any such charge is imposed shall not be of less area than the Poor Law Union within which the crime in respect of which such charge arises was committed."

He wished to point out that there were in Ireland about 160 Poor Law Unions, and that they yielded about five to each county. The Committee would, therefore, see that a district of this kind would be small enough for the collection of the tax, and, at the same time, large enough to save the inhabitants from an excessive levy. The Government, he understood, did not propose to impose a ruinous tax upon the people, because, if they did, the result would be that the people would refuse to pay, the Government would endeavour by brute force to secure the payment, and the last state of Ireland would be worse than the first. Cases would arise in which the levy would be so oppressive that the people would not be able to pay under this clause. During the period this Bill was in operation, or for the next three years, numbers of tenants in Ireland would be paying the old rack rents, and not the rents which the Land Court would consider fair, because the Courts would not by that time have reached the cases of some of the tenants. Let the Committee take this into their minds—that these poor people, having only Indian meal for the food of their families, and destitute of every comfort in the world, while they were paying the rack rents, would be utterly incapable of paying any such thing as a blood tax. The right hon.

and learned Gentleman the Home Secretary must needs fix his tax so that the people could pay it in order to obviate the necessity of the Government resorting to force to compel payment. If his Amendment were adopted the object of the clause would be served to the full extent—the purposes of the Government would be carried out as efficiently as they could be, because the larger the area over which the amount was levied the more certain would bè the collection of the tax. They should not leave it in the power of the authorities to levy the tax upon a single townland, because such an area would be very limited. In all probability, if it was levied upon a single townland, it would not be paid; whereas, if it was levied over a Poor Law Union, there would be greater security for its collection, and, at the same time, they would be spreading what they called the healthy lesson they wished to teach over a wider area.

Amendment proposed,

In page 8, line 24, after the word "order," to insert the words "Provided, That the district on which any such charge is imposed shall not be of less area than the Poor Law Union within which the crime in respect of which such charge arises was committed."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, that in the view of the Government the area to be charged should be what might be roughly called the area that was responsible for the crime, whatever that area was. The Government could not consent to be tied by any local, any more than by any pecuniary, limit. Looking at the instances of charges of this kind which had been made in the past, the amounts had been very small, and they had been levied only on small portions of the country. They had been paid off by a very small percentage of the value. Glancing down the list of claims, they went from claim to claim, and it was seldom that they ever came to an area the size of a Union. He saw, for instance, where a man was wounded in the head that he got £20, and that the rate levied on the parish was one halfpenny. He could not see why in such cases the area over which the charge should be made should be extended to a Union. It was not the object of the Government to oppress and ruin a single district. Their object, as he had stated over and over again, was to prevent crime and to compensate those who suffered; and the Government, more than anyone in the country, would find it to their interest in the highest sense not to render this clause an instrument of persecution and oppression. If they suited the various objects they wished to obtain by it, they could not accept the Amendment. If the principle was once accepted that the area was to be a very large one, they immensely increased the probability that innocent people would be punished. When once they departed from the principle of making the area of taxation as nearly as possible identical with the area responsible for the crime, so far did they increase the possibility of punishing innocent people.

MR. WARTON said, it seemed to him gross injustice that a farmer upon whom an outrage might have been committed might himself be called upon to pay a tax in respect of that injury. He should like to know whether the Government proposed to make any limitation in this regard?

COLONEL COLTHURST said, he was sorry the Government had refused to accept this Amendment. The Committee apparently made up their minds as to the punitive effect of this clause, and he would not go into that matter, though he thought, as a punitive measure, it would be no use whatever. Looking at the compensation part of it, it seemed to him that it would be of great advantage to make the area identical with the Poor Law Union. It was true they might render liable to be charged a few more innocent people if they made the area that of the Poor Law Union instead of a townland; but they could not enact a measure or a clause of this kind without doing some injustice.

MR. TREVELYAN said, in reply to what had fallen from the hon. and learned Member for Bridport (Mr. Warton), the Government were quite satisfied with the power of exemption which they already possessed in the clause; and they were, therefore, unwilling to introduce in this section the powers contained in the previous clause.

MR. SEXTON said, the question was whether the Government were willing to agree to the area specified in the Amendment, or whether they desired to harass, and, in many cases, to inflict ruin upon a number of perfectly innocent people by concentrating this impost upon a small district. Would the right hon. Gentleman consider the proposal that in the case where the levy over a small area exceeded a certain reasonable taxation, say, of 6*d.* or 1*s.* in the pound, a larger area should be substituted for the smaller?

Mr. O'SHAUGHNESSY said, that by accepting the Amendment to make the area of impost coincident with the Poor Law Union, which in Ireland might represent the fourth or fifth part of an entire county, the Committee would be only increasing what he considered to be the gross injustice of this clause.

Captain AYLMER said, he hoped the Government would remember that the great object of the clause was prevention. It could not be denied that there were many people in the disturbed districts in Ireland who knew when crime was in course of perpetration. It was impossible for walls to be loopholed, and other arrangements of the kind carried out, without people in the neighbourhood being cognizant of what was going on.

Question put.

The Committee *divided:*—Ayes 31; Noes 129: Majority 98.—(Div. List, No. 197.)

Mr. HEALY said, in the Amendment he was about to propose for restricting the payment of compensation to certain degrees of relationship, he had followed the provision of a similar kind contained in Lord Campbell's Act. He wished to have it made clear that the person to whom compensation was paid, and who suffered the loss, should be an immediate sufferer —a relative. He should have no objection to the addition of the words "brother or sister;" still he wished to point out that Lord Campbell's Act, which he had followed in his second Amendment, confined compensation to the "father, widow, or children of such person." It was necessary that the two Amendments on this subject standing in his name should be taken together. He objected strongly to the phrase "or one of the next of kin" which was the subject of his first Amendment, because it would mean, perhaps, 20 or 100 people, whereas he thought the compensation should be confined to the deceased person's relations as specified in Lord Campbell's Act.

Amendment proposed, in page 8, line 26, after the word "representative," to leave out the words "or one of the next of kin."—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. PARNELL said, he hoped the Government would consider this Amendment favourably. It was evident that the clause as it stood was too wide. But the Home Secretary wanted it to be wide. The right hon. and learned Gentleman said, first, he wanted it for the purpose of punishment; secondly, in order to give some sort of compensation to persons who might feel the loss of the person murdered; and, thirdly, as a preventive. Now, it appeared to him that Irish Members might fairly ask that the clause should be amended in the direction indicated by the hon. Member for Wexford, and that if compensation were given to the immediate relatives of the person murdered all that was necessary would be gained. Otherwise, it would be better to take power to fine a particular district for the public benefit and advantage, and spend the money in that way. If the Government wished to punish a district in the manner proposed, or to produce a preventive effect by fining a district, then let the money be spent on works of public utility. But why should persons who had no earthly interest in the life of the person murdered, and who might in no way feel the loss from the point of view of human affection, be benefited by a fine of this character?

Sir WILLIAM HARCOURT said, there was an ambiguity in this sub-section occasioned by the word "claims." The clause should run "applications under this Act may be made," &c., and that the word "claims" ought only to be used in respect of the persons to whom the money was payable after application had been made, and who should constitute a more limited class than those who made the application. He thought that the persons to whom the money was payable ought to be limited in some such way as had been suggested by the hon. Member for Wexford.

Mr. GIBSON said, it might be that, as the right hon. and learned Gentleman stated, some verbal alteration was required to make the meaning of the sub-section plain. But in making this alteration great care would be needed in order not to deprive relatives of compensation in cases where the person murdered had no near relations. It would not be reasonable or just to hand over unprotected to the criminal feeling prevailing in some parts of Ireland a man who was not married and had no brother or sister. He was not sure that he had grasped the meaning of the hon. Member for Wexford. Anyone, whether next-of-kin or not, could be a personal representative; therefore, no question would follow there. It was dangerous, he thought, to proceed on narrow grounds to a precise classification of kinship. But all that was suggested was that it was premature to deal with the Amendment now. If dealt with afterwards, the Committee must be cautious to prevent the punitive nature of the clause yielding to the putting of a too narrow interpretation upon it.

SIR JOSEPH M'KENNA said, he did not wish to interfere with the punitive effect of the clause; but what was intended by the Amendment was to prevent anyone who had no interest in the life of a man profiting by his death, simply because he happened to be a relation. The aim of the Amendment was that no man, simply because he was a relation, should have an interest in a man's death, he having no interest in his life. A slight reflection would show that it would be quite possible that a distant kinsman might have some complicity with the murder of a man, if that man's death would enable him to pocket a sum of money which would be charged upon the district. He wished to have the clause limited, so that anyone who would derive benefit, interest, or compensation from the death of the person murdered, must be someone sufficiently nearly related to constitute a reasonable warranty, that he or she would not have violated the laws of affection and kindred or blood, and have had anything to do with putting the man away.

DR. COMMINS said, so far as the ambiguity of the Amendment was concerned, that might be met by the alteration of a word, making the clause to be "prosecuted" instead of "made;" that was a mere prosecuting of a claim. There might be some relations, next-of-kin, going as far as those of Baillie Nichol Jarvie to the 32nd degree, and that he counted very near. Some limit must be made, and without it there was a dangerous element in the clause. It was known that in a good number of agrarian offences in Ireland they had arisen out of family quarrels, in which blood was shed; and this clause would put a premium on such offences as there had been in Louth, in Leitrim, and in Cork, where men had murdered others to get possession of a farm. Under this clause they would not only get possession of the coveted farm, but would get the benefit of the tax levied on the neighbourhood for the murder. As the Home Secretary had promised to consider it, it was not necessary to do more than to suggest the direction in which the limitation should be made. The limitations should be such as came very near the limitations in Lord Campbell's Act. That was the only practical workable one. There must be a pecuniary loss to the person making the claim, not merely relationship, so that there should be some sort of guarantee against any complicity of the claimant with the crime.

MR. HEALY, in withdrawing his Amendment, pointed out to the right hon. and learned Gentleman (Mr. Gibson) that an argument such as he had used would cut both ways. The right hon. and learned Gentleman said the Amendment would leave the man without a relative powerless, and with no protection against murder; but, on the other hand, to put, he might almost say, a price on a man's head, as the right hon. and learned Gentleman desired, in a case where a man had no near kin, would be almost a danger to him, for some of his remote relations trying to profit by his death, as had been often known to happen in connection with Insurance Companies, might murder the man. The Irish landlords were not the angelic class as to be entirely free from temptations.

MR. WARTON said, before the Amendment was withdrawn, he wished to make one suggestion. There might be a man standing in relationship to the murdered man, but not connected with him by ties of affinity. A creditor might take out letters of administration, and he might have a certain interest, for he would be paid on the death of the man. Might not a representative mean a creditor?

Amendment, by leave, *withdrawn.*

Mr. SEXTON desired to move the Amendment standing in the name of his hon. Friend the Member for New Ross (Mr. Redmond), which was to omit all the words subsequent to the word "injured," in line 27. The effect would be that the application to the Court or tribunal would not be made by the Crown Solicitor, or any person authorized by the Lord Lieutenant, but by the representative or next-of-kin of the person murdered. In the case of a person maimed or injured, it was obvious he might make his claim on his own behalf. Now, he had heard the right hon. and learned Gentleman say that persons having a beneficial interest in claims of this kind should be protected; and, really, he pushed the point too far. He did not apprehend any such thing as that the presentation of claims would threaten anyone with danger; but there might be a point of difference there. But in the case of a man injured, everyone would know that if the charge was levied the man injured had made a claim, and that the money would go to him; and he might as well make the claim as make it through a Crown Solicitor, for if there were persons so ferocious and so evil-minded as to make an attempt on the life of the man, they would be equally well-informed whether he made the claim himself, or by a Crown Solicitor, so that nothing would be gained by this vicarious application. And, in the case of next-of-kin, where a murdered person had near relatives, it would be equally apparent that the claim was made for their benefit. If the evils of poverty were to be prevented by means of an income, they might as well raise it themselves, for everyone in the district, every ratepayer, would know that the claim was for the benefit of the widow, the son, or the daughter of the victim. In some cases, where distant relatives claimed, they might be saved from undue prominence; but he argued generally that this vicarious, roundabout, clumsy method of making claims was unnecessary, and would not have the effect for which it was intended.

Amendment proposed, in page 8, line 27, to leave out from the word "injured," to end of Clause.—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir WILLIAM HARCOURT said, this power of making applications by the Crown Solicitor, or by any person authorized by the Lord Lieutenant, was deliberately copied from the Act of 1870 for obvious reasons. The person suffering the injury might be still under the terrorism that had led to the outrage, and this terrorism might be exercised to prevent him making his application at all. But if the application was made on his behalf, and he got the money, it would be a totally different thing. He had read the other day a distressing story of an unfortunate farmer who was shot in his own house; but though his assailants were perfectly well known to him, he was under such a terror that he dared not state who they were. That was a condition of things that would make it impossible in many cases for the sufferers to make their claim; and this provision gave them protection, for the claim would be made on behalf of the man, and he would get the money without any action in the matter being taken by himself. It was a necessary provision, and it could not be parted with.

Mr. SEXTON said, in such an instance of a farmer shot by a party visiting his house not daring to make his claim, it was inevitable that inquiry would be instituted; and if this farmer went into Court and gave evidence, and afterwards got the money, was he not, to all intents and purposes, in the same position? Making the claim was a formal matter, but his position with respect to evil-doers would be just the same.

Sir WILLIAM HARCOURT said, no, he would not be, and the money, at all events, would be levied.

Question put, and *agreed to.*

Amendment proposed,

In page 8, line 28, after the word "Lieutenant," to insert the words—"Provided, That every claim made under this section shall state the name or names, and address or addresses, of the person or persons on whose behalf it is made, the nature of the claim, and the amount claimed."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Mr. HEALY said, he thought this was so very reasonable an Amendment that the Government could not object to it. But to meet any objection there might be, perhaps he might be allowed to suggest that, as the Government had agreed on various points to introduce on Report a provision that various matters should be dealt with "in the prescribed form," they would include this also, and provide that applications should be made in the prescribed form.

Sir WILLIAM HARCOURT assented to the suggestion.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 8, line 28, at end, to add the following sub-section:—"No compensation shall be awarded under this section in any case in which the claimant has recovered, or might with due diligence have recovered, damages by action at law or otherwise, in respect of the subject matter of his claim."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

Mr. HEALY said, he thought this also was a very reasonable Amendment. It was simply to say that if a man by civil action could obtain compensation, then he should proceed in that way before he could come upon the unfortunate ratepayers. It was a reasonable proposal, which, no doubt, the Government would be glad to accept.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he could not accept it. If a man had already recovered damages it would not be a case in which the Lord Lieutenant would take action; if he had not taken action, the Lord Lieutenant would act on his own discretion. If he had brought his action, and recovered damages, the Lord Lieutenant would not give him compensation twice over.

Mr. HEALY asked, was there any physical impossibility that prevented this?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) replied, no; but, naturally and necessarily, discretion would be exercised.

Mr. HEALY then supposed there would be a guarantee that a man would proceed for recovery in a legal way where such was open.

Question put, and *negatived.*

Mr. SEXTON said, he did not intend to move his Amendment now, but the Committee would remember that earlier in the evening they had a conversation in reference to the retrospective effect of the clause, and he hoped that time would be given to consider it when the end of Clause 17 was reached.

On Question, "That the Clause, as amended, stand part of the Bill?"

The Committee *divided*:—

The Tellers appeared at the Table and conferred with the Chairman.

The CHAIRMAN directed the Serjeant-at-Arms to clear the "No" Lobby.

The Serjeant-at-Arms, having reported the Lobby clear, Sir Walter B. Barttelot appeared at the Table, and Lord Richard Grosvenor (Teller) reported that the hon. and gallant Member was in the Lobby when the division was called.

The CHAIRMAN: Did the hon. and gallant Baronet hear the Question put?

Sir WALTER B. BARTTELOT replied that he had not heard it.

The CHAIRMAN: The Question is, that Clause 16, as amended, stand part of the Bill. As the hon. and gallant Member was in the Lobby with the "Noes," his vote must be counted with the "Noes."

Ayes 113; Noes 34: Majority 79.

AYES.

Alexander, Colonel C.
Armitstead, G.
Ashley, hon. E. M.
Aylmer, J. E. F.
Balfour, J. B.
Baring, T. C.
Barnes, A.
Bass, Sir A.
Blennerhassett, Sir R.
Borlase, W. C.
Brand, H. R.
Brassey, Sir T.
Brise, Colonel R.
Bruce, rt. hon. Lord C.
Bryce, J.
Buszard, M. C.
Campbell, J. A.
Campbell-Bannerman, H.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Coddington, W.
Cotes, C. C.
Courtney, L. H.
Cowper, hon. H. F.
Creyke, R.
Cropper, J.
Davey, H.
Davies, R.
Dilke, Sir C. W.
Douglas, A. Akers-
Duckham, T.
Duff, R. W.
Ecroyd, W. F.
Elliot, hon. A. R. D.
Evans, T. W.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ffolkes, Sir W. H. B.
Finch, G. H.
Fowler, R. N.
Fry, T.
Gibson, rt. hon. E.
Gladstone, H. J.
Gladstone, W. H.
Goschen, rt. hon. G. J.
Grafton, F. W.
Grant, A.
Harcourt, rt. hon. Sir W. G. V. V.
Hartington, Marq. of
Hayter, Sir A. D.
Herschell, Sir F.
Hibbert, J. T.
Holland, Sir H. T.
Hollond, J. R.
Holms, J.
Holms, W.
Howard, E. S.
James, C.
Jardine, R.
Johnson, W. M.
Jones-Parry, L.
Kennard, Col. E. H.
Kinnear, J.

Leake, R.
Leatham, W. H.
Lee, H.
Leeman, J. J.
Lefevre, rt. hn. G. J. S.
Leigh, R.
Lewisham, Viscount
Loder, R.
Lubbock, Sir J.
Mackie, R. B.
Mackintosh, C. F.
Makins, Colonel W. T.
Maskelyne, M. H. Story-
Monk, C. J.
Moreton, Lord
Morgan, rt. hon. G. O.
Morley, A.
Morley, S.
Murray, C. J.
Paget, T. T.
Parker, C. S.
Pease, A.
Peddie, J. D.
Porter, A. M.
Powell, W. R. H.
Ramsden, Sir J.
Richardson, T.
Roberts, J.
Samuelson, H.
Scott, M. D.
Shield, H.
Simon, Serjeant J.
Stanley, E. J.
Summers, W.
Tavistock, Marquess of
Tillett, J. H.
Tottenham, A. L.
Trevelyan, rt. hn. G. O.
Vivian, A. P.
Walrond, Col. W. H.
Warton, C. N.
Waugh, E.
Whitley, E.
Williams, S. C. E.
Willis, W.
Wills, W. H.
Wilson, I.
Wodehouse, E. R.
Woodall, W.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

NOES.

Barttelot, Sir W. B.
Biggar, J. G.
Byrne, G. M.
Callan, P.
Colthurst, Col. D. La T.
Commins, A.
Corbet, W. J.
Dillon, J.
Gill, H. J.
Gray, E. D.
Healy, T. M.
Labouchere, H.
Lawson, Sir W.
Leahy, J.
Leamy, E.
M'Carthy, J.
M'Kenna, Sir J. N.
Martin, P.
Marum, E. M.
Molloy, B. C.
Nolan, Colonel J. P.
O'Brien, Sir P.
O'Connor, T. P.
O'Gorman Mahon, Col. The
O'Kelly, J.
O'Shaughnessy, R.
O'Shea, W. H.
O'Sullivan, W. H.
Parnell, C. S.
Sexton, T.
Sheil, E.
Sullivan, T. D.
Synan, E. J.
Thompson, T. C.

TELLERS.
Power, R.
Redmond, J. E.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir William Harcourt.*)

MR. T. P. O'CONNOR invited an expression of opinion which might influence arrangements for the morrow. In the opinion of the Government, had the Committee made substantial progress or not?

SIR WILLIAM HARCOURT said, as the hon. Member asked his opinion, his views of substantial progress were very different from those of the hon. Member.

MR. CALLAN asked, would the House commence its Sitting to-morrow at 4 or at 2 o'clock?

SIR WILLIAM HARCOURT said, at 2 o'clock.

MR. CALLAN, in anticipation of an all-night Sitting, hoped that means would be provided for allowing Catholics to attend Divine worship, say, in the Crypt.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

PARTNERSHIPS (*re-committed*) BILL.

(*Mr. Monk, Mr. Gregory, Mr. Barran, Mr. Lewis Fry.*)

[BILL 179.] COMMITTEE.

[*Progress 5th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 4 (Interpretation of terms).

MR. HORACE DAVEY objected to the definition of trader in the clause, and moved the omission of the words from "trader," in line 15, to the word "Act," in line 16, inclusive.

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHAMBERLAIN said, he could not agree to the Amendment without some further explanation. There was another reference to these words in Clause 26; and he understood his hon. and learned Friend proposed to omit that clause; but it seemed to him a most important part of the Bill. He could not conceive that a Bill intended to consolidate the Law of Partnership could omit all reference to those important powers of partnerships contained in Clause 26. He would agree to a compromise in regard to the Schedules; but he thought the object would be better met by an alternative definition. He would suggest that traders should be defined to be all persons that were defined as traders under the Bankruptcy Law in force. As his hon. and learned Friend knew, the Government—as other Governments had—indulged in the hope of effecting an amendment of the Bankruptcy Law, and Amendments then made might alter the definition of trader; and it was very desirable that the Law of Partnerships should be consistent with the Bankruptcy Law.

MR. HORACE DAVEY said, he could not agree to this, and argued that there was no definition of trading in the clause, so far as partnership was concerned. It was quite true that there were certain things done which, in a popular sense, were said to be acts by which partners might bind themselves; but when examined they would be found to be only particular examples of a larger principle which was correctly stated in Clause 24. It might be well enough to insert it in a handbook for beginners; but it was not a scientific definition such as should be inserted in an Act of Parliament. It was quite sufficient to say that the act of any partner, an act usually done in the carrying on of the business, should bind the partners. If the business carried on was of such a character that it was usual or necessary that a bill of exchange should be drawn or accepted, it would be understood that one partner bound the firm by such; but by no particular example could a man be understood to be a trader or not. The definition did not include a farmer, but it did an auctioneer, who could bind his partner, while a farmer could not; but one would think that a bill of exchange would be as likely to be used in the one business as in the other. They could not get any definition of a trader that was perfect. In the first place, some businesses were trading firms in one respect and not in another; for instance, two medical men, who were also apothecaries, in one point of view they would be traders and in another they would not. And, then, take another instance; from time to time new trades arose, as necessity called them into existence—electricity, telephones, the electric light, came into use; and there would be manufactures of all kinds of things that would not come under any definition. The only scientific way of dealing with this was to leave out traders and trading partnerships, and to rely on the statement of general principle contained in Clause 24.

MR. MONK said, he was willing to accept this Amendment, for he considered that the definition which had been copied from the Bankruptcy Act was not altogether a satisfactory one. He would even go further, and admit that Clause 26 was not absolutely necessary in a Consolidation Bill. It was doubtless drawn in accordance with the law as it stood at present; but still Clause 24, as had been stated, fully supplied all that was required. Under the circumstances, he hoped his right hon. Friend would not think it necessary to oppose this omission.

Question put, and *negatived.*

Amendment proposed, in line 17, to leave out from "trading partnership," to "traders," in line 18.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Partnership defined).

MR. HORACE DAVEY said, he had Amendments to this clause, one to strike out the clause altogether, and another to omit Sub-section 2. In the first place, he would propose to strike out Sub-section 2. This either contained a truism or it was unsound. If it meant that every partnership contract was to be construed according to the true meaning in which it was made, having regard to the relations existing between the parties, then it was a truism, and equally applicable to all contracts as well as partnership contracts. There was no difference in them that he was aware of. But if, as he could not help thinking, it should be construed that it meant that there was some speciality in partnership contracts, then it was unsound and mischievous. It was clearly not necessary, because if it was true it was part of the Law of Contract, and not of the Law of Partnership; it merely put a construction on contracts generally. As it stood it was very much calculated to mislead. He could not help thinking that the uninstructed mind would be much misled by reading this, and that it would induce attempts to introduce evidence of extraneous facts for putting some different meaning on the true meaning of partnership contracts.

Amendment proposed, in page 2, line 17, to leave out Sub-section (2).—(*Mr. Horace Davey.*)

Question proposed, "That Sub-section (2) stand part of the Clause."

MR. MONK admitted there was a great deal of force in what had been said, especially about the uncertainty in the sub-section. He believed it was rather calculated to mislead, and therefore he would agree to its omission; but as to the clause he would have something further to say.

Question put, and *negatived.*

MR. HORACE DAVEY moved that the clause be omitted, on the ground that they ought not, in an Act of Parliament, to attempt to give a definition of partnership unless they were able to be successful in giving the correct one. The best authority on the Law of Partnership, Lord Justice Lindley, stated in his book, which was acknowledged the first text-book on the subject, that there were 15 definitions of what was a partnership, all of which he rejected; and then he said he would not give one of his own. Now, if in the first text-book on the law the editor, a learned Judge, found it impossible to give a correct definition, it was, he thought, rather bold for the House of Commons to attempt to do so. But that was not all. The definition was plainly incorrect; and it must be obvious it was so, for it required six sections afterwards to say what was not a partnership. A definition that required six qualifications was plainly not a correct one. He would not press this if it were likely to be of use to anybody at all, but he did not see that there was anything to be gained by retaining the definition of partnership in the Bill. Although it was difficult to find it in language, it was easy to put it in language that would mislead; but still there was no real difficulty in understanding what a partnership was.

Amendment proposed, to leave out Clause 6.—(*Mr. Horace Davey.*)

Question proposed, "That Clause 6 stand part of the Bill."

MR. MONK said, he was sorry he could not agree with his hon. and learned Friend here. He had referred to what was acknowledged to be the first text-book on the Law of Partnership, and in that book, he said, Lord Justice Lindley declined to define a partnership; but he (Mr. Monk) was entitled to say that Lord Justice Lindley had approved of this definition, and it had received his sanction as a proper definition at law. When they reached a subsequent clause defining what was not a partnership, he should be prepared to defend that portion of the Bill.

Notice taken, that 40 Members were not present,—Committee counted, and 40 Members not being present:

Mr. Speaker resumed the Chair: House counted, and 40 Members not being present:

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Friday, 30th June, 1882.

MINUTES.]—PUBLIC BILLS—*First Reading*—Highway Rates and Expenditure * (173).

Second Reading—Local Government Provisional Orders (No. 5) * (162).

Select Committee — Report — Tramways Provisional Orders * (125).

Committee — Justices' Jurisdiction (112-172); Local Government Provisional Orders (No. 9)* (147).

Committee—Report—Local Government Provisional Orders (No. 11) * (152).

Report—Tramways Provisional Orders (No. 3) * (149).

Third Reading — Lunacy Regulation Amendment * (160); Local Government Provisional Order (No. 8) * (146), and *passed.*

JUSTICES' JURISDICTION BILL.

(*The Lord Bramwell.*)

(NO. 112.) COMMITTEE.

House in Committee (according to order).

Clause 1 (Repeal of 5 & 6 Vic., c. 38, so far as relates to trial of certain offences at quarter sessions.)

EARL COWPER, who had the following Amendment upon the Paper:—

> In page 1, line 10, after "recorder," add, "or with stealing records, bills, or documents relating to real estate, and persons charged with offences as fraudulent agents, trustees, or bankers; or persons charged with bigamy,"

said, that anyone acquainted with the proceedings of Assizes must be aware of the great waste of power which there took place by the trial of simple cases, in which the punishment was, at most, two or three months' imprisonment. On the other hand, Justices at Quarter Sessions now tried many very grave offences, which required very considerable skill to deal with, and which involved very severe penalties. He believed that the manner in which magistrates had conducted these complicated cases had been such as, on the whole, to command the confidence of the country. It should also be remembered that the ultimate decision in all these cases rested with a jury. With very great deference to the opinion of the noble and learned Lord who was in charge of the Bill, he ventured to think that some amendment of the Bill, in a certain direction, would be desirable. He had, therefore, placed on the Paper an Amendment, which he had intended to move, providing that cases of stealing documents relating to real estates, and various other cases, should be placed within the jurisdiction of magistrates.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he would point out to the noble Earl opposite (Earl Cowper) that the Amendment he referred to was to be made in the Preamble of the Bill.

THE EARL OF POWIS, in moving an Amendment for the purpose of preventing the crime of burglary accompanied with violence being tried at Quarter Sessions, said, he thought that the criterion of the heinousness of burglary was whether or not it was accompanied by violence—

Amendment *moved*, in page 1, line 20, after "burglary," insert "if unaccompanied by violence."—(*The Earl of Powis.*)

LORD BRAMWELL said, that he could not accept the Amendment of the noble Earl. He thought that they must trust to the discretion of magistrates, in cases of that character, as to whether they committed to Sessions or Assizes. Practical inconvenience, moreover, would arise from the adoption of the proposed Amendment, because, if a case were committed to Quarter Sessions, no evidence of violence having been given before the committing magistrate, and it should turn out at the trial that violence had been used, the prisoner would be entitled to his acquittal for want of jurisdiction. He would, therefore, ask their Lordships not to agree to the Amendment. It was not his intention, however, that cases which were accompanied by personal violence should be sent to the Sessions.

Amendment (by leave of the Committee) *withdrawn.*

LORD BRAMWELL then moved to omit from the clause the provisions giving jurisdiction to Courts of Quarter Session in cases of forgery. The noble and learned Lord said, he did not take that course because he thought no such cases should be tried at Quarter Sessions, for some cases of forgery and false pretences came very near each other. But the proposition to confer jurisdiction on Quarter Sessions with regard to forgery had alarmed a good many persons, and it was thought that cases of difficulty might arise which it would be improper for Sessions to try. Therefore, he proposed to leave them out of the Bill.

Amendments *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 *agreed to*, with Amendments.

Clause 3 (Public prosecutor in certain cases may order trial at assizes or Central Criminal Court).

Amendments made.

LORD BRAMWELL moved to add a Proviso to the clause, to the effect that no person who should be tried at Quarter Sessions for burglary should be sentenced to penal servitude for any period exceeding ten years. The noble and learned Lord stated that, though not himself thinking that it was essential, he adopted it in deference to the opinion of a learned Friend.

Amendment *moved*, in page 2, at end of clause, to add—

"Provided, That no person who shall be so tried shall be subject or sentenced to any period of penal servitude exceeding ten years."—(*The Lord Bramwell.*)

VISCOUNT CRANBROOK said, he hoped their Lordships would not accept the Amendment, as the Quarter Sessions had now jurisdiction to give higher sentences than 10 years. He objected to place this check upon the power of the magistrates.

THE EARL OF ROSEBERY said, he would be glad if the Amendment and others of which he had not received any Notice were reserved for the Report, so that he might consult the authorities at the Home Office, who had not yet had time to consider the Bill.

EARL CAIRNS said, the point was a simple one. A sentence of 15 years' penal servitude might now be awarded for burglary, and cases sent to the Quarter Sessions were sometimes very serious. They ought not to give a power which would be different to the general law in these cases.

THE EARL OF MILLTOWN pointed out that a man might be tried for a burglary committed without personal violence, but who had been convicted on previous occasions of felony of a serious character, and sentenced already to 15 or 20 years' penal servitude; for such an offence a sentence of 10 years for a subsequent felony might be a wholly inadequate punishment.

Amendment (by leave of the Committee) *withdrawn.*

Remaining clauses *agreed to,* with Amendments.

House *resumed.*

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 172.)

TUNIS—ADMINISTRATION OF JUSTICE.

MOTION FOR AN ADDRESS.

EARL DE LA WARR, in rising to move an Address for Papers and Correspondence relating to affairs in Tunis, said, he was induced to do so in consequence of a further development of the French occupation of that country, which, as it appeared, was now in contemplation, and which, if carried out, would materially affect the interests of British subjects who were resident in the Regency of Tunis. He alluded to the alleged intention on the part of the French Government to suppress the Capitulations and to abolish the Consular Courts in Tunis, as to which he would ask the noble Earl the Secretary of State for Foreign Affairs, whether any information could be given? That intention, although it had not as yet been openly declared, was, he believed, no secret at Tunis, or at Paris, where it was freely discussed in the French Press. For instance, he might mention a statement which had come under his notice, and which appeared in *The Journal des Débats,* which said that the time had come—

> "De prendre complètement en main le gouvernement intérieur de la Régence et de l'exercer suivant les principes qui nous guident en Algérie."

Earl Cairns

It was argued in that journal that the Treaty of Kasr Essaid—the Treaty recently concluded between the Bey of Tunis and the French Government—was sufficient to effect this. Now, the 4th Article was as follows:—

> "The Government of the French Republic guarantees the execution of the Treaties at present existing between the Government of the Regency and the different European Powers."

This difficulty, therefore, arose. How could the Capitulations, which were based upon existing Treaties, be suppressed? But an easy solution was offered. An additional Convention, it was suggested, might be concluded with the Bey which would modify the Treaty on this point. It was also said, in the same paper he had referred to, that—

> "Whatever it might cost, the French were engaged, by interest as well as honour, to establish a regular Government and Administration, and that such a Government could not exist with the Capitulations."

The noble Earl might, perhaps, reply that these were unofficial statements; but he (Earl De La Warr) had often found unofficial statements had some portion of truth in them; and he had reason to believe that, in this instance, they represented the intentions of the French Government, if it were possible to carry them out. He would ask their Lordships to consider for a moment what would be the effect of this change. The Consular Courts established under the Capitulations would be superseded; British subjects, as well as those of other European Powers, would be placed under French jurisdiction as much as they would be in any part of France, and matters closely affecting their interests in all cases of civil and criminal jurisdiction would be removed from what were now the Consular Courts to whatever French Court might be established in their stead. He could not but think that this was a matter which demanded the serious attention of the Government, and he hoped the noble Earl might be able to assure them that the existing Treaties and Conventions which established and confirmed the Capitulations and Consular Courts in Tunis would be strictly adhered to. The noble Earl concluded by moving for Papers and Correspondence.

Moved, That an humble Address be presented to Her Majesty for correspondence on the subject of the alleged intention of the French Government to suppress the capitulations and to abolish the consular courts in Tunis.—(*The Earl De La Warr.*)

EARL GRANVILLE, in reply, said, he could not accede to the noble Earl's Motion, for the simple reason that there were no Papers and Correspondence on this subject. The only information which the Government had in the matter was that in the Chamber of Deputies, last December, M. Gambetta expressed a wish that he might be able to introduce some organization of mixed tribunals in Tunis, but not according to the plan adopted in Egypt.

Motion (by leave of the House) *withdrawn.*

ARMY (AUXILIARY FORCES)—MILITIA OFFICERS.

QUESTION. OBSERVATIONS.

THE EARL OF SANDWICH, who rose, according to Notice, to ask the Under Secretary of State for War Questions respecting the Militia, said, that he did not give a fuller Notice because it would have necessitated a communication with the War Office. He complained, in the first instance, of the early age at which officers in the Militia had to retire, whereby certain officers felt themselves aggrieved, because they had been superseded in favour of junior men, and he had also to bring under the notice of the House the way in which the honours were distributed, which he did not consider just towards the senior officers. The modern practice seemed to be to assimilate the Militia as much as possible with the Army, and he objected very much to the amalgamation of the Militia with the Line. The Militia was an old Constitutional Force, which had always done its duty, and had always been ready to come forward when called for. But the effect of amalgamating a Militia regiment with the 60th Rifles, for example, was to make a kind of bastard battalion of the Line. They ought either to turn the Militia regiments into regiments of the Line altogether, or to leave them as they were, as he thought they ought to be left. He also objected to the system of depôt centres for Militia, and to their being sent away to be trained with regiments of the Line, and hoped his noble Friend would arrange that Militia regiments should drill in their own counties. It was a serious thing to take away from the towns near which they were in the habit of being drilled the money that used to be spent among them. He also thought it very objectionable to send men to be drilled at a considerable distance from their own localities, at depôts where there were, perhaps, some five or six officers and 70 or 80 men. That seemed a curious plan for keeping up depôts. Fifty men were lately sent to Winchester to be drilled; they found about 60 at the place, and, what with those required for guard and other services, hardly a company could be mustered for parade. In fact, the whole system of depôt centres was a great mistake, together with the system of linking battalions, the result of which was that half a Militia battalion was sent to one county and half to another. He asked, whether steps could not be taken to secure a more efficient Militia drill, by their own officers in their own localities, pointing out that the Militia was essentially a National Force, which ought to be under the control of its own officers, and not to be considered so much part of the Regular Army. He was glad to to see that some interest had been shown in the Militia lately by the illustrious Duke the Commander-in-Chief and by His Royal Highness the Prince of Wales. It would be for the benefit of the country that the Militia regiments should be more cared for than they had been, and he trusted that the War Office authorities would consider the grievances they had to complain of, and take more care in the future that they should be properly treated.

THE MARQUESS OF EXETER said, he could corroborate all that his noble Friend (the Earl of Sandwich) had said as to the inconvenience of sending Militia regiments away from their own locality to be trained and drilled with the troops of the Line. The Militia regiments were territorial regiments, and a consequence of the course pursued was that in his own regiment they had experienced great difficulty in getting recruits, because the men objected to going long distances to the drill.

THE EARL OF MORLEY, in reply, said, he had to complain that the general form in which the Question was put on the Paper was unusual and inconvenient, and the reason given for not making the Question more explicit was that the noble Earl opposite (the Earl of Sandwich) was afraid that information would be obtained from the Departments concerned, so that an answer might be given to the Question which the noble Earl desired to ask. That was a remarkable explanation of the form of a Question, which form was inconvenient to the House itself, because many noble Lords took an interest in Militia questions, and it was only fair to them that some indication should be given of the line that was going to be taken, so that they might be prepared to take part in the discussion. The noble Earl, however, had informed him (the Earl of Morley) of one subject that he intended to mention. He had heard with some regret criticisms upon the distribution of honours last year; he had hoped and believed it had been settled that it was inconvenient to discuss in that House the distribution of honours by the Crown; and it was not proper to insinuate that they had not been fairly distributed. As to the retiring of Militia officers, it seemed to be assumed that the object in view was the assimilation of the regulations of the Militia and those of the Line battalions. That was a mistake. The only objects were to insure that the officers should be thoroughly active and fit for service, and that there should be such a flow of promotion as would give juniors an opportunity to obtain field rank. He did not think they would experience any difficulty in getting juniors to fill the higher ranks on the retirement of the older officers; but that difficulty, if it existed at all, would not be lessened if officers in the higher ranks were allowed to stay to an indefinite age. As to the amalgamation of the Militia and the Line, there did not seem to be any practical utility in discussing it on the present occasion. Answers had been given over and over again to criticisms on the scheme, which was adopted on the recommendation of a Committee appointed by the noble Viscount who represented the War Office in the late Government (Viscount Cranbrook), and carried into effect by the present Government. It was equally unnecessary at that time to discuss the system of territorial regiments and the object of that organization. No doubt the numbers at the depôts must fluctuate, and Bedford or any other depôt might be low just after recruits had been sent off to the Line battalion. He would admit that the noble Earl opposite was justified in asking for an explanation of the removal of regiments or parts of regiments to other than their own counties for training; but, as their Lordships were aware, there was a very important body of the Militia called the Militia Reserve, numbering about 27,000, who were bound to join the Regular Army when called upon; and it was thought desirable, when Militia battalions and the Line battalions to which they were attached were within reasonable distance, that the experiment should be tried of sending detachments of Militia Reserve men to drill with the Line battalion of the territorial regiment. That experiment had been tried last year in 11 cases; but no report had been yet received as to its result, though, so far from hearing any complaints about the system, he had heard satisfactory accounts of the manner in which the men had behaved themselves from several distinguished officers. On the other hand, he would admit that commanding officers had complained of recruits having to be sent away from their own towns to be drilled. There were reports both for and against the present system of drilling Militia recruits on enrolment as compared with the old system at the general training of the regiment; but the system had been in operation for less than 12 months, and the Department would have the means of judging whether it was better to adhere to the present system, or to return to the former one. With regard to the recent Circular which had been issued by the Commander-in-Chief respecting the mess expenses, its object was, as far as possible, to discourage unnecessary waste and extravagance in the Army; and he (the Earl of Morley) did not think that the noble Marquess opposite (the Marquess of Exeter), or any other commanding officer, need reasonably fear the penalties attached to a breach of that order.

VISCOUNT HARDINGE asked, what measures were being adopted in order to raise the second battalions of regiments to their proper strength, in cases where the first battalion was serving abroad; and also, what steps were being taken to create a stimulus as to recruiting in the case of regiments which had not been able to raise a second battalion? He must say that, in his opinion, the territorial system had not aided the recruiting of the Militia.

THE EARL OF GALLOWAY said, he had also to complain of the existing system. Under it he had, for the first time in his recollection, been unable to get his own battalion up to its proper strength. He objected to the system of drilling by driblets, which was inconvenient and disagreeable, both to the men and the officers, and hoped they would return to the old system of drilling the regiment, because it was utterly impossible to keep up their strength under the present system. At present, the Line was supposed to be recruited from the Militia; but, under the existing system, a man might be enlisted in the Militia one day, and the next day, before he had had a single day's drill, he might be drafted into the Line. That was a perfect farce. It would also be a great advantage to appoint brigadiers over several regiments, rather than send regiments to be drilled at the depôt centres. If that plan were adopted, there would be none of the unfortunate dual government of which so many complaints had been made, and as to which none of the present difficulties would have existed if the system of the noble Viscount opposite (Viscount Cardwell) had been carried out.

THE EARL OF MORLEY said, as he had already stated, in reply to the noble Earl, when the Militia Reports for the year had been received, they would show how far the new system of drilling recruits on enrolment had succeeded, and whether it required any modification.

House adjourned at Six o'clock,
to Monday next, a quarter
before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 30th June, 1882.

The House met at Two of the clock.

MINUTES.] — PUBLIC BILLS — *Committee* — Prevention of Crime (Ireland) [157]—R.P. [*Twenty-second Night*].

Third Reading—Elementary Education Provisional Orders Confirmation (West Ham, &c.)* [196], and *passed.*

QUESTIONS.

STATE OF IRELAND—CRIME AND OUTRAGE.

SIR HENRY FLETCHER asked the Chief Secretary to the Lord Lieutenant of Ireland, If any arrests have been made in connection with the outrage perpetrated on a constabulary pensioner, named Magaghy, living near Attboy, county Meath, whose house was entered on Sunday night by three armed men, who shot him in the breast; and, whether any further outrages have been reported from the same neighbourhood?

MR. TREVELYAN: Sir, two arrests have been made in connection with this outrage. No further outrage has been reported from the same neighbourhood.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that on the 19th inst. every sub-inspector of Constabulary in Ireland received from the Inspector General an order to have his men on the alert, as it was expected that outrages of a certain class, not specified, would be perpetrated on the 20th inst.; whether any outrages were committed on that date; and, whether the Government acted upon the information of the special resident magistrates?

MR. TREVELYAN: Sir, I must respectfully decline to answer this Question. If any such Circular was issued, it was, as a matter of course, a confidential document, and any public knowledge of it must have arisen through a grave breach of confidence.

SIR WALTER B. BARTTELOT asked the Chief Secretary to the Lord Lieutenant of Ireland, If the following report in the "Times" of an outrage is correct:—

> "On Sunday an outrage was committed at the house of a rent warder and gamekeeper named Jeremiah M'Carthy. M'Carthy was in the employment of Mr. Langford, J.P., and resided at a place called Rowells Langford, a remote district on the borders of the counties of Cork and Limerick. Yesterday, while the members of M'Carthy's family, with the exception of his daughter, were absent at Rock Chapel, four men entered the house with their faces blackened. They seized M'Carthy's daughter, gagged her, and cut off her hair. In the struggle her arms were cut by the sharp instrument employed in removing the hair. She was dragged outside the house, which was then set on fire and burnt down. The only explanation

of this outrage is, that M'Carthy filled the unpopular post of a bailiff, and as such had endeavoured to protect the interests of his employer;"

and, if the above report is substantially true, whether any persons have been taken into custody?

Mr. TREVELYAN: Sir, the report of the outrage is correct. No arrests have been made. Active exertions are being made by the police, but they receive no assistance from the people.

Mr. SCHREIBER asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as reported in the "Times" of the 26th instant, that two men, armed with revolvers and wearing masks, entered the house of Thomas Donnellan, near Ennis, county Clare, and made him swear to quit the employment of a local magistrate; whether, on the same night and in the same locality, two men entered the houses of two tenants of Mr. Stafford O'Brien, knocked one of them down, and made the other swear never again to be guilty of "the unpardonable sin of paying rent;" and, if so, whether anyone has been brought to justice for these outrages?

Mr. TREVELYAN: Sir, it is true that on the evening of June 17, two men armed with revolvers and wearing masks entered the house of Thomas Donnellan and warned him to leave the employment of a local magistrate. They did not swear him. Donnellan said he could not identify the parties, and consequently no arrests have been made. So far as the Constabulary are aware, the other outrages referred to in the Question did not occur.

THE MAGISTRACY (IRELAND)— CAPTAIN BARTON.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Captain Barton, a deputy lieutenant and justice of the peace for the county of Fermanagh, has resorted to violent measures against Mr. Hugh M'Intyre, Poor Law Guardian, of Cliffoney, county Sligo, in consequence of a dispute at law between Captain Barton and Mr. M'Intyre respecting rights of fishing in the Bunduff River; whether, on the 16th May last, Captain Barton, accompanied by a police constable, two soldiers, and five other men, went from Captain Barton's to Mr. M'Intyre's side of the river, proceeded to remove a fishing shoal, the property of Mr. M'Intyre, and continued to do so until warned by Mr. M'Intyre that they were violating his legal rights; whether, on the 23rd May, four days after Mr. M'Intyre had served summonses for trespass and damages, Captain Barton, accompanied by two soldiers and five civilians, again proceeded to remove the shoal and damage the fishery; whether, on that occasion, Mr. M'Intyre struck out of the hand of one of the civilians a burning coal, which he was about to apply to a fuse attached to a charge of dynamite, placed close to Mr. M'Intyre's fishing pier, and, whether, on being questioned, he admitted he had received the dynamite from Captain Barton; whether, a third time, on the 25th May, five men in Captain Barton's employment, accompanied by Acting-Constable Jackson, again proceeded to remove the shoal, and, on being remonstrated with by Mr. M'Intyre, and warned of the danger of a violent collision between his men and Captain Barton's, whether the acting-constable arrested Mr. M'Intyre, brought him in custody two miles to the Tullaghan Police Station, and kept him there six hours till a magistrate came and ordered his release, declaring there was no charge against him; whether, if the facts be as stated, the Government will explain how soldiers came to be concerned in these proceedings; whether they will inquire into the conduct of Acting-Constable Jackson; and, whether they will invite the Lord Chancellor to consider the propriety of retaining Captain Barton in the commission of the peace?

Mr. TREVELYAN: Sir, I must ask the hon. Member to be so good as to postpone this Question until Monday. My inquiries in reference to it have not yet concluded.

THE ROYAL IRISH CONSTABULARY— INCREASE OF COST.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state the total increase in the amount charged for the Irish Police Force for the years 1879, 1880, and 1881, stating each year's increase separately?

Mr. TREVELYAN: Sir, I assume that the Question of the hon. Member for Wexford (Mr. Healy) refers to the

Royal Irish Constabulary, and does not include the Dublin Metropolitan Police. In 1879 and 1880, the increase over the previous year in the cost of the Royal Irish Constabulary was £7,303. In 1880-1 it was £83,139; in 1881-2 it was £125,564. I can give the figures for the Metropolitan Police if the hon. Member wishes.

ARMY (IRELAND)—INCREASE OF COST.

MR. HEALY asked the Secretary of State for War, If he will state the total increase in the amount charged for the Army and Army Service in Ireland for the years 1879, 1880, and 1881, stating each year's increase separately?

MR. CHILDERS: Sir, in reply to the hon. Member for Wexford (Mr. Healy), I have to state that it would be extremely difficult to give any return of expenditure on the Army and Navy Services in Ireland with absolute accuracy. For instance, purchases are made in Ireland for the use of the Army in England, and in England for the use of the Army in Ireland, and it would be next to impossible to analyze and distribute these payments. So, again, it is impossible to distribute between Great Britain and Ireland the Non-Effective Charges, such as Pensions. But, excluding arms and accoutrements, which are depreciated rather than expended, and Non-Effective Charges, I may say that the following would be substantially accurate—namely, for 1878-9, £1,700,000; for 1879-80, £1,500,000; for 1880-1, £1,780,000; and for 1881-2, £1,800,000.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. JAMES HOLDEN.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the case of Mr. James Holden, at present in Kilmainham Prison, has yet been reconsidered; and, whether, in view of the fact that all the prisoners from his neighbourhood have been released, and that the district is peaceable, he can now recommend his discharge?

MR. TREVELYAN: Sir, James Holden's case has been reconsidered; but His Excellency found himself unable at present to order his release.

MR. REDMOND asked the right hon. Gentleman to answer the second part of the Question.

MR. TREVELYAN, in reply, said, that he had never been accustomed to interfere with regard to the discretion of the Lord Lieutenant.

THE MAGISTRACY (IRELAND).

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as currently reported, that Resident Magistrates in the counties of Limerick and Clare have protested against being further subject to the orders of Mr. Clifford Lloyd; whether a large number of the Irish resident magistrates have either tendered their resignations, or been invited by the Irish Executive to retire on pension; and, whether, in reorganising the stipendiary magistracy in Ireland, the Executive will endeavour to obtain the services of persons trained in the practice of the Law, and who may be reasonably expected to be free from prejudice as between class and class in Ireland?

MR. TREVELYAN: Sir, there is no truth in the report alluded to in the first paragraph of the Question. There has not been any official protests from the Resident Magistrates in reference to Mr. Clifford Lloyd. With regard to the second paragraph, opportunities of retirement of the exceptionally favourable nature known as "terms of retirement on abolition of office" have been offered by Circular to all Resident Magistrates, so that His Excellency may be able, in the forthcoming re-organization of the Irish Stipendiary Magistracy, to give effect, so far as is consistent with the public interests, to the wishes of individual magistrates who may desire to retire. With regard to the final paragraph, His Excellency is desirous of obtaining the services of persons trained in the practice of the law when such persons also possess other qualifications which are necessary for the post.

MR. SEXTON said, the right hon. Gentleman the Chief Secretary for Ireland had not answered the closing part of the Question, as to freedom from class prejudices.

MR. TREVELYAN: That, of course, is a most important qualification, which the Lord Lieutenant will see to.

MR. T. P. O'CONNOR: If there were no official protests in reference to Mr.

Clifford Lloyd, were there any unofficial protests?

After a pause—

Mr. T. P. O'CONNOR: I suppose I may interpret the right hon. Gentleman's silence as an assent?

Mr. TREVELYAN: I think it only fair to Mr. Clifford Lloyd to state that every change in a public Department causes a good deal of criticism by persons who are connected with those changes, and, of course, those criticisms come to the authorities. That is only human nature.

THE ROYAL IRISH CONSTABULARY—PAYMENT OF PENSIONS.

Mr. MOORE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the attention of the Constabulary authorities has been called to the inconvenient mode of paying Constabulary pensions, often causing men advanced in years to travel many miles to receive their pensions in person; and, whether they would consider the advisability of adopting the system by which Army pensioners are paid, by order, at the place in which they reside?

Mr. TREVELYAN: Sir, the rule is that the pensioner attends himself to receive his pension once a-month or quarter, at his own option, at the office of the Sub-Inspector in whose district he resides. The pensions of old and infirm men are usually transmitted through the constable of the police station nearest to their place of residence, and they are thus relieved from attendance in person. The advisability of adopting the system by which Army pensioners are paid has been considered; but the conclusion arrived at was that the present plan is preferable in the circumstances of the Constabulary.

THE IRISH LAND COMMISSION — ASSISTANT COMMISSIONERS.

Mr. GIBSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government will distinctly represent to the Irish Land Commission that it is not just or expedient to employ Assistant Commissioners to act as Judges in the localities with which they are or have been recently connected by residence, profession, or occupation?

Mr. TREVELYAN: Sir, the Land Commissioners inform me they do not consider that the fact that a barrister has been in the habit of going on a particular Circuit disqualifies him in any way from acting as an Assistant Commissioner within that Circuit. With regard to the points of residence and occupation, I have been corresponding with the Commissioners, and when the correspondence has come to a result I will let the right hon. and learned Gentleman know, in order that he may have the opportuity of putting a Question on the matter.

Mr. GIBSON inquired, whether any representation would be made in reference to those Assistant Commissioners, who would be returning to their professional practice in the districts they were now operating in after a few months?

Mr. TREVELYAN, in reply, said, he would submit the letter containing the Land Commissioners' opinions on that subject.

THE IRISH CHURCH TEMPORALITIES COMMISSION—THE ACCOUNTS.

Mr. REDMOND asked the Secretary to the Treasury, When the accounts of the Irish Church Temporalities Commission for 1881, with the Report of the Comptroller and Auditor General thereon, will be presented to Parliament, as required by "The Irish Church Act, 1869?"

Mr. COURTNEY: Sir, as I recently stated, in reply to a Question put by the hon. Member for Downpatrick (Mr. Mulholland), the accounts of the Fund are now made up to the 31st of March, and the Auditor's Report is not yet due. I am informed that the accounts to the 31st of March, 1882, were forwarded by the Land Commission to the Audit Office on Tuesday, the 27th instant, three days before they were due.

Mr. W. H. SMITH: On what authority has that change been effected? The Statute requires that the accounts be made up to 31st December.

Mr. COURTNEY: The change was made before my time at the Treasury; but I understand it was made in accordance with an understanding come to last year. I will, however, inquire more precisely.

Mr. W. H. SMITH: I will call attention to the subject again on Monday.

METROPOLIS—THE PARKS—THE ENCLOSURE AT YORK GATE, REGENT'S PARK.

MR. W. H. JAMES asked the First Commissioner of Works, Whether, by virtue of 24 and 25 Vic. c. 42, the plot of land in Regent's Park extending from York Gate to Hanover Gate, amounting to about thirteen acres, has passed under the control of the First Commissioner of Public Works; if he can state what legal rights remain by which this ground remains enclosed; and, whether, if they are no longer in existence, he would exercise his right of throwing the enclosure open for the advantage of the dense population of the neighbourhood?

MR. SHAW LEFEVRE: Sir, the 13 acres to which my hon. Friend refers are under the control of the Commissioners of Works, but by virtue of another Act of Parliament than that mentioned in the Question—namely, the 14 & 15 *Vict.* c. 42. This land has never been thrown open to the public as a part of Regent's Park, but has been reserved for the use of the householders in the neighbourhood on payment of a fee of one or two guineas a-year. My Predecessor, Mr. Adam, was very anxious to throw open this land to the public; but the occupiers of the adjoining houses under lease from the Crown objected. They were supported in their objections by the Commissioners of Woods and Forests; and the Treasury, to whom the matter was referred, held that the occupiers of these houses had a claim to the reservation of this land for their use, in the same manner as had always been the case from the time when their leases were granted to them.

MR. W. H. JAMES asked whether they were to understand that the adjoining householders had an absolute legal right to this land?

MR. SHAW LEFEVRE: I very much doubt, Sir, whether they have an absolute legal right, for nothing is mentioned in the leases about it.

MR. O'KELLY asked whether they were to understand from the answer of the right hon. Gentleman that this right was to be held in perpetuity to the householders?

MR. SHAW LEFEVRE: Not in perpetuity, but only during the term of the leases.

MR. HEALY: I wish to ask whether the right hon. Gentleman will recommend the Irish landlords to be as scrupulous about evictions as the Crown appears to be in this matter? ["Order, order!"]

MR. SPEAKER: The hon. Member has interposed with a Question which is not germane to that before the House. Such a proceeding is very irregular, and I am bound to take notice of it.

THE IRISH LAND COMMISSION — ARREARS OF RENT (IRELAND) BILL.

MR. P. MARTIN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any suggestions have been made by the members of the Irish Land Commission, or any of them, to the Irish Government, as to the mode in which, and persons by and before whom, the preliminary conditions required to entitle tenants to the benefits of the Arrears of Rent (Ireland) Bill ought to be proved, so as to secure the speedy exercise of the powers proposed to be given; would he have any objection to lay upon the Table of the House such suggestions; and, would there be any serious difficulty in obtaining from the Land Commission the rules and forms under which they propose to exercise the powers proposed to be given to them by the Bill, so that such rules and forms be added by way of Schedules to the Bill?

MR. TREVELYAN: Sir, any suggestions such as those alluded to in the Question of the hon. and learned Member must, as a matter of course, have been made for the private use and information of the Government, and, on principle, I should decline to assent to their production. In the present stage of the Arrears of Rent (Ireland) Bill, the Return asked for in the final paragraph of the Question could not possibly be given.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881— MR. PATRICK NEILON.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Patrick Neilon, of Gurlesmine, county Sligo, has been for several months, and is still in custody under the Coercion Act, on a charge of inciting to intimidation, and whether he is not one of the class of suspects referred to by the Prime Minister on the 2nd of May as not being suspected of personal association with crime; whether during the prolonged absence of Mr. Neilon from home, there being no one but his wife to direct the cultivation of his farm, a few days, while some workmen on the farm were moulding potatoes and sowing turf, Constable Warnock, of the Aclare Police Station, went to the wife of one of the labourers, Michael Freeman, and threatened to arrest him, and whether Constable Warnock and the sub-constables mounted a wall near Mr. Neilon's farm and scrutinised the workmen; and, whether there is any reason for the further detention of Mr. Patrick Neilon?

Mr. TREVELYAN: Sir, Mr. Patrick Neilon is still detained on reasonable suspicion of inciting persons not to pay rents. His Excellency had his case recently under consideration, and decided to detain the prisoner for the present. He is now about to consider the case again, with a view of determining whether there are any grounds for altering that decision. With regard to the remainder of the Question, I am informed that notices were posted up at Aclare on the 18th instant, calling on the people to assemble in their strength on the 20th to mould Neilon's potatoes, and cut his turf. Three members of the Constabulary attended, but did not interfere in any way with the workmen, nor did they threaten to arrest Freeman. They did rest on a wall at the place for some time.

POST OFFICE—THE LETTER CARRIERS.

Mr. T. P. O'CONNOR (for Mr. Biggar) asked the Secretary to the Treasury, When he will be in a position to make an announcement respecting the case of the letter carriers of the United Kingdom; and, what is the cause of the long continued delay in arriving at a decision as to their claims?

Mr. COURTNEY: Sir, I have more than once explained that this is a matter of much detail, which necessarily occupies a considerable space of time; but we are now on the eve, as I believe, of settling it. At present there are only one or two small questions remaining, as to which the Treasury are awaiting a communication from the Postmaster General on the subject.

EDUCATION DEPARTMENT—CASE OF JAMES BUTLER AND THE SCHOOL ATTENDANCE COMMITTEE, WITNEY, OXON.

Mr. E. W. HARCOURT asked the Vice President of the Council, Whether, having regard to his statement that schools should be opened to children on just and reasonable conditions, and that the School Attendance Committee and the Magistrates at Witney have decided that James Butler is not entitled to plead poverty as a claim for the payment of school fees for his children on the same scale as that of an ordinary agricultural labourer, and as the School Attendance Committee and the Magistrates have come to such a decision entirely apart from any wrongful proceedings on the part of the school managers, the Education Department will, in reliance upon the justice of the decision of the local authorities, and with the object of giving them a legitimate support, review their determination to withdraw the grant if the children of James Butler are not admitted to the school on payment of the lowest fees?

Mr. MUNDELLA: Sir, I cannot exclude from the consideration of this case the conduct of the school managers and all the attendant circumstances. The children of James Butler were admitted to Ramsden National School at the ordinary fees, and because the parents objected to their cleansing the school out of school-hours the fees were doubled. When James Butler objected to pay a double fee, which was exacted as a fine, his children were refused admission to the school, and he was twice prosecuted for neglect, although he sent them regularly with their fees in their hand. At the first prosecution, the case was dismissed; but, on the second occasion, the magistrates decided that the parent could afford to pay the double fee. He appealed to the Department against the treatment to which he had been subjected, and we hold that the double fee ought not to have been charged, that the children ought not to have been refused, and that the prosecutions were vexatious and unnecessary. It is not needful for a parent to plead poverty when he pays the full fees of the school; and no extra fee was demanded, or would, in our opinion, have been imposed, if the parent had consented to his children cleansing the school. Under these circumstances, I conceive it is my duty to adhere to the decision of the Department, and to require the children to be reinstated at the original fee.

EVICTIONS (IRELAND)—CO. GALWAY.

Mr. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the statement in the "Evening Standard," that 250 ejectment decrees have been obtained against small tenants on the estates of several landlords at the current Oughterard Sessions; that, should these decrees be carried out, 2,000 people will be left homeless; and, whether the Government intend to propose any means for meeting this emergency?

Mr. TREVELYAN: Sir, the statement in the newspaper is, I am glad to say, much beyond the mark. The clerk of the peace for the County Galway informs me that there were but 59 decrees obtained at the Oughterard Sessions affecting 445 persons. In one of these proceedings have been stayed under the 13th section of the Land Act.

STATE OF IRELAND—RETURN OF MURDERS, &c.

Mr. FITZ-PATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will, as soon as possible, lay upon the Table of the House a Return of the murders, attempts at murder, and outrages which have occurred in Ireland during this month (June)?

Mr. TREVELYAN: Sir, the usual monthly Return of agrarian outrages reported to the Inspector General of the Royal Irish Constabulary in the month of June will be presented to the House the moment it can be got ready in a complete form on the termination of the month.

POOR LAW (IRELAND)—JAMES CALLAGHAN (CASTLEREA UNION).

Mr. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Mr. James Callaghan, late master baker in the Castlerea Union Workhouse, applied to be superannuated while in the service of the union; whether it is true that notice was duly taken of the application by the Board of Guardians, and a motion on the subject made before Mr. Callaghan left the service of the union; whether the Board of Guardians voted a superannuation allowance of £10 per annum in recompense of twenty-four years of faithful service; whether the Local Government Board, in refusing to sanction this allowance, decided on the merits of the case or on a mere technicality; and, whether Mr. Callaghan had failed to do any act, or did any act, which in equity deprived him of a claim to superannuation?

Mr. TREVELYAN: Sir, James Callaghan's services were dispensed with by the Guardians of the Castlerea Union in April, 1876. A notice of motion that he be granted a superannuation allowance was given at the time by one of the Guardians, but was subsequently withdrawn, and the Guardians did not vote him any superannuation allowance. In January, 1881, after an interval of four years and eight months, the Guardians proposed to grant him a superannuation allowance; but the Local Government Board were advised that they could not, after such a lapse of time, legally give their consent.

Mr. O'KELLY asked whether the man was not entitled in equity to this pension? The man persisted in his claim, and it was owing to the action of others that the technicality arose.

Mr. TREVELYAN, in reply, said, if the hon. Member wrote him a private letter stating the case, he would put that view before the Board.

THE IRISH LAND COMMISSION—MR. THOMAS MEEK, SUB-COMMISSIONER.

Mr. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Thomas Meek, who has been recently appointed a Sub-Commissioner under the Land Act, is the same person who was employed as tenants' valuator before the Tyrone Sub-Commissioners, and whether the valuations put upon the farms by him were, in every instance, so palpably too low, that the Sub-Commissioners before whom he was examined disregarded his evidence, and fixed the judicial rents considerably higher; whether he has given any assurance that his decisions will not be in accordance with the views on which such estimates were based; and, whether a very large proportion of the decisions of the Sub-Commission of which he is a member are being appealed against by the landlords?

Mr. TREVELYAN: Sir, the Land Commissioners have forwarded to me a letter from Mr. Meek, in which he states that, while there was a material difference between his valuations and the judicial rents fixed, it should be borne in mind that the lands about which he gave evidence were of a cold, heavy nature, and belonged to a class which, he considered, had depreciated more in value than lighter soils. Mr. Meek is only one of three Sub-Commissioners, and is not alone responsible for the decisions of the Sub-Commission. Up to the 28th of June 318 cases had been decided by this Sub-Commission, and against these decisions 104 appeals, all from landlords, have been lodged.

Mr. J. LOWTHER wished to know if Mr. Meek had been employed as the tenants' valuator before his appointment?

Mr. TREVELYAN, in reply, said he had been.

Mr. DILLON gave Notice, in consequence of this Question having been asked, that at an early date he would ask how many agents and landlords' valuators had been appointed?

Mr. WARTON (for Lord Arthur Hill) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Thomas Meek, now a Sub-commissioner under the Land Act, was employed by some of the tenants on Colonel the honourable Stuart Knox's estate to value their farms and give evidence on the hearing of their applications to fix a judicial rent; whether all these farms were let at or under the Government valuations, at an aggregate rent of £75 15*s*., whereas Mr. Meek's valuation of same was £51 12*s*. 2*d*.; and, whether his estimate was discarded by the Sub-commissioners as inadequate and unreliable, and the judicial rent fixed at £64 14*s*.?

Mr. TREVELYAN: Sir, I have called for information in reference to this Question, but have not yet received it.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARRESTS UNDER THE ACT.

Viscount FOLKESTONE (for Sir Herbert Maxwell) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that three ex-suspects were recently arrested while drilling illegally with other persons by night in county Roscommon, as stated in the public journals; whether any security for good behaviour has been taken from Matthew Murphy, another ex-suspect, upon whom an appointment under the Government has been conferred since his release; what was the crime under suspicion of which he was originally confined; and, whether there were grounds for considering the suspicion unreasonable?

Mr. TREVELYAN: Sir, one person only who had been in detention under the Protection Act was recently arrested in Roscommon under the circumstances mentioned in the Question. With regard to Matthew Murphy, no security was taken from him to be of good behaviour. The Statute does not empower the Lord Lieutenant to require such. No appointment under Government has been conferred on him since his release. He held the office of sub-postmaster at Milford previous to his arrest, but has not yet resumed it. The offence on suspicion of which he was arrested was intimidation for non-payment of rent. There were no grounds for considering the suspicion unreasonable.

THE BOARD OF PUBLIC WORKS (IRELAND).

Mr. ARTHUR O'CONNOR asked the Secretary to the Treasury, Whether Viscount Crichton's Committee, which reported in 1878, expressed the opinion that the present Secretary of the Board of Works in Ireland, after a service of more than forty years, was entitled to retire upon a pension; whether they did not recommend that he should be replaced by an officer who would be able to relieve the Commissioners of some of their less important duties; and, whether the Government propose to take any, and, if any, what notice of the recommendation; and also whether his attention has been called to the following expressions in the Report of Viscount Crichton's Committee upon the Board of Works, Ireland:—

> "Nothing can be further from our intention than to depreciate the merits of the present Chairman. . . It is possible, however, that after so long a service, rendered peculiarly arduous in consequence of the incomplete constitution of the Board, he may now feel unequal to the

strain which our view of the responsibilities would necessarily entail, so as to enable him to do full justice to himself as well as to the Department; and, if so, while regretting that the Board should be deprived of the advantage of his great experience, we think that he should be afforded an opportunity of retiring, and that a special pension should be secured to him;"

whether such opportunity has been afforded; and, whether the Government propose to take any steps to secure the efficiency of the Board of Works in the directions indicated by the above-mentioned Committee?

Mr. COURTNEY: Sir, I have read the paragraph referred to in the Report of the Committee presided over by the noble Viscount the Member for Fermanagh; but I observe that the noble Viscount himself dissented from it. With reference to these questions, I may say that they refer to a large scheme of re-organization of the Board of Works, and consideration of this was at first delayed in consequence of the pressure of relief operations during the Distress, and is now held over until we know something more of the working of the Land Commission.

Subsequently,

Mr. ARTHUR O'CONNOR asked the hon. Gentleman to answer the last two paragraphs of the Question.

Mr. COURTNEY, in reply, said, he thought he had already explained that the two recommendations referred to formed part of the scheme for the re-organization of the Board of Works; but circumstances in recent years had not been favourable to the carrying out of that scheme.

Mr. ARTHUR O'CONNOR: Are we to understand that those officers who were years ago reported to be inefficient were to be indefinitely retained at the head of this important Department?

Mr. COURTNEY: I demur to the statement of the hon. Member and to his conclusions.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. LUKE ARMSTRONG.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Luke Armstrong, of Tubbercurry, county Sligo, has not been detained in prison for more than six months, under a warrant of the Lord Lieutenant, on the least of the charges dealt with by the Coercion Act, namely, inciting to intimidation; whether Mr. Armstrong belongs to the class of suspects "not believed to be personally associated with crime," whose release was declared by the Premier eight weeks ago to be an article of the policy of the Government; whether the Executive are aware that the imprisonment of Mr. Armstrong has left no one in charge of his business, in the town of Tubbercurry, but his only sister, a young girl, with the result that his lengthened absence has caused large and increasing injury to his interests and prospects; whether the landlords and tenants in the Tubbercurry district have arrived at friendly settlements of any differences between them; and, whether Mr. Armstrong will now be set at liberty?

Mr. TREVELYAN: Sir, Luke Armstrong was arrested on the 2nd of January last, and, therefore, has not yet been for six months in prison. He was arrested on reasonable suspicion of intimidation against the payment of rent. His case comes on for reconsideration on the 3rd proximo.

THE LAND COURT (IRELAND)—EVICTED TENANTS.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, How many tenants evicted in May made application to the Land Court?

Mr. TREVELYAN: Sir, in the month of May 445 tenants were actually evicted throughout Ireland; 69 of these had made application to the Land Court, whose equity of redemption is running out.

THE IRISH LAND COMMISSION—THE COMMISSIONERS AT CASTLEBAR.

Mr. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at the recent sittings of the Land Commissioners to hear appeals, at Castlebar, sixty-three cases were disposed of by them, and whether the aggregate judicial rent fixed by the Sub-Commissioners in these cases was £559 16*s.* 5*d.*, the appeal rent £591 0*s.* 2*d.*, whereas the valuation of same (excluding buildings) by the official valuer was £673 0*s.* 6*d.*; whether, in the very large majority of these cases, the official valuer stated in open court that there were no improvements visible; and, whether all the Commissioners sat on the hearing of these cases; and, if so, whether their decision was unanimous; if only two, which two of the three Commissioners formed the Court?

Mr. TREVELYAN: Sir, the number of cases disposed of at Castlebar, the aggregate rent fixed by the Sub-Commission, and the aggregate appeal rent are correctly stated in the Question of the hon. Member. The Land Commissioners object to giving any figures for statements from the reports of their valuers. The valuer was not present in Court on the occasion in question. Two of the Commissioners—namely, Mr. Justice O'Hagan and Mr. Vernon, heard the appeal cases at Castlebar, Mr. Litton being unavoidably absent. There was no difference of opinion between Mr. Justice O'Hagan and Mr. Vernon.

Mr. TOTTENHAM asked, of what use the valuers were in that case; and, on what basis it was the Commissioners had decided?

Mr. TREVELYAN, in reply, said, he was very unwilling to answer such a serious Question. If such Questions were put in the House with regard to the decisions of the Judges in the Equity Courts in England, he was sure they would not be answered, for the Judges would decidedly object to do so.

STATE OF IRELAND—CRIME AND OUTRAGE IN KERRY.

Viscount FOLKESTONE asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has received any information about an outrage reported to have been perpetrated on Saturday night at Ballyrue, county Kerry, when an ex-bailiff, named Patrick O'Sullivan, was dragged from his bed by two men, disguised, who fired several revolver shots at him, of which three took effect, one breaking his arm, and the others lodging in his leg and side; whether, since then a similar outrage has been committed in the same locality, a bailiff named Brown having been shot in the legs; and, whether it was true, as stated in the "Times" of the 29th, that some time ago a change was made in the regulations of the Government in consequence of which police protection was withdrawn from caretakers, and they were told that they must take care of themselves?

Mr. TREVELYAN: Sir, I have received the official report of this outrage. Several shots were fired at the unfortunate man, three of which took effect. One bullet struck his right arm, glancing off the bone downwards and lodging at the elbow. Another struck him in the hip, passing outwards, while a third passed through his leg below the calf. The bullet has been successfully extracted from his arm, and the doctor does not consider any of the wounds dangerous. The local Constabulary inform me that no similar outrage has since occurred in the locality.

Mr. J. LOWTHER begged to repeat his Question which he put on Wednesday—namely, Whether the man who was reported to be murdered on Tuesday night, near Tralee, was a caretaker in occupation of a so-called "Boycotted" farm, and whether an attempt had been previously made on his life?

Mr. TREVELYAN, in reply, said, he had been unable to give further details at the time the Question was asked, as a magistrate was absent on leave at the time. The man was a caretaker, and had been fired at before, and if the right hon. Member gave him Notice he would give him the details.

Mr. J. LOWTHER said, he only referred to the matter in connection with the concluding observations of the right hon. Gentleman, that the authorities reported that no outrages of a similar character had occurred in that neighbourhood.

Mr. TREVELYAN: The local Constabulary informed me that no similar outrages had occurred in the locality.

Viscount FOLKESTONE said, the right hon. Gentleman the Chief Secretary had not answered the last part of his Question.

Mr. TREVELYAN, in reply, said, the last paragraph had not been added at the time the Question was referred to him.

Mr. W. E. FORSTER said, he thought he could answer the Question. It referred to a matter which occurred some time since, when he had the honour of being Chief Secretary. If the noble Viscount would refer to the answer he (Mr. W. E. Forster) gave at the time, he would see that it was totally inconsistent with the statement that the caretakers were told that they must take care of themselves.

Viscount FOLKESTONE: I was referring to the statement which appeared in *The Times* of yesterday.

Mr. TREVELYAN said, he was unable to say positively, but he had every reason to believe the statement to be incorrect.

Mr. J. LOWTHER said, he would again give Notice that he would ask the Chief Secretary for Ireland, Whether the person murdered on Tuesday night was a caretaker on a so-called "Boycotted" farm, whether his life had been previously attempted, and what special precautions the Government had taken after that attempt for his protection?

Viscount FOLKESTONE also gave Notice that he would repeat his Question.

LAW AND JUSTICE (IRELAND)—COUNTY COURT JUDGES.

Mr. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it has been the practice of the Irish Government for many years not to appoint County Court Judges to sit in any Court which was comprised in the Circuit on which they had practised at the Bar; whether this rule arises from the necessity of keeping Judges free from all suspicion of bias towards professional supporters and clients; whether the same considerations apply to the appointment of legal Assistant Commissioners under the Land Act; whether Mr. Wyllie, the Chairman of the Sub-Commission in Tyrone, is a member of the North West Circuit, which includes Tyrone, and whether he intends to resume his professional connection with that county when his present twelvemonth employment ceases; and, whether he will take steps to have Mr. Wyllie removed to some other county, where he will not be exposed to embarrassment by past and future professional relations?

Mr. TREVELYAN: Sir, I am informed that no fixed practice has existed with regard to the appointments of County Court Judges, and three instances have been brought to my notice, in which the County Court Judges have been appointed to counties on their own Circuits. The Question with regard to Mr. Wyllie has been already answered in the House. The hon. Member will find the answer reported in *The Times* of the 13th instant.

POST OFFICE (IRELAND)—OPENING OF LETTERS BY SUBORDINATES.

Mr. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any precautions are taken to secure that letters are not opened by subordinates in the Irish Post Office for curiosity or with dishonest motives, under cover of the right to open letters exercised by the Lord Lieutenant?

Mr. TREVELYAN: Sir, if the hon. Member will refer to the 25th section of the Act 1 *Vict.*, c. 36, he will find that it provides against the contingency referred to in the Question. The offence is by that section, a very stringent one, made a misdemeanour, and is punishable as such.

EVICTIONS (IRELAND)—DEATHS FROM EXPOSURE AT AN EVICTION AT RHODE, KING'S CO.

Mr. MOLLOY asked the Chief Secretary to the Lord Lieutenant of Ireland, With reference to the death in a ruined stable of a child twelve months old, alleged to have been caused by exposure consequent upon eviction while suffering from measles, and the refusal of the resident magistrate to allow the evicted family to use a shelter hut which had been supplied, if he has now received any further information upon the subject; what steps have been taken with regard to the inquest ordered by the coroner to be held, and the refusal or neglect of Sub-Inspector Caulfield to summon a jury, and if the inquest has yet been held; and, if not, why has it not been held, and when is it to be held; if the evicted family was suffering from measles at the time of the eviction; if the statement of Sub-Inspector Caulfield, whose conduct was in question, was a mere denial of the facts above stated, and if his statements are now proved to be false; if, since the above occurrence—viz., on the 25th instant, a second child of the evicted man Kavanagh, which was also alleged to be suffering from measles at the time of the eviction, has died; if the coroner issued his order for an inquest, and issued forty summonses to be served on jurors; and if it was the duty of Sub-Inspector Caulfield to obey the orders of the coroner; if at the last named inquest Sub-Inspector Caulfield selected and summoned only a portion of the number of the proposed jury for whom the coroner issued his warrant, and refused to obey the coroner's orders in court; if his attention has been called to the verdict of the jury that—

> "The death of the child was accelerated by exposure and cold on the day of the eviction of his father and family," &c.,

and to their rider—

> "We desire to record our condemnation of the action taken by the police in preventing the erection of a more fitting habitation for a suffering and sick family;"

if the coroner stated in his summing up that the report on this matter previously furnished to him was false in almost every material detail; and, whether he will agree to an independent and impartial inquiry into all the circumstances of this case?

Mr. TREVELYAN: Sir, the hon. Member for Wexford has also given Notice of a Question in reference to this case. Having seen the report of the inquest on the body of the second child, I think I am bound to order an inquiry into the matter, and I shall accordingly do so, and lay the report of the result upon the Table.

Mr. MOLLOY asked if the inquiry would be held before an impartial tribunal?

Mr. TREVELYAN said, no doubt the matter was an important one, and he would consult with the authorities in Dublin and see that a proper person was appointed to hold the inquiry.

Mr. SEXTON asked whether these people would be allowed to avail themselves of the huts provided for them now, considering that two children of this evicted man had died and two others were on the point of death?

Mr. T. P. O'CONNOR said, that the two men sent down by the Ladies' Land League to erect the huts were sent to gaol for six weeks, and the family were obliged to take refuge in a barn, resulting in the two deaths.

Mr. TREVELYAN, in reply, said, he could hardly imagine that at this moment the refusal to allow the huts to be erected would be persisted in.

Mr. SEXTON hoped the right hon. Gentleman would kindly make it clear to those concerned that these people should be allowed to occupy the huts.

STATE OF IRELAND—CRIMES AND OUTRAGES—ARRESTS.

Sir MICHAEL HICKS-BEACH asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can give the House any information as to the number of cases in which persons have been committed for trial on account of the murders or more serious agrarian outrages reported in Ireland during the months of April, May, and June, 1882, or have been summarily punished for minor agrarian outrages; and, whether, since 1st May 1882, any persons have been arrested and are now detained under "The Protection of Person and Property (Ireland) Act, 1881," on suspicion of having been guilty of such outrages?

Mr. TREVELYAN: Sir, the Question of the right hon. Baronet only appeared this morning, and therefore I cannot, from the short space of time, give the information asked for. To obtain an answer to the first paragraph of the Question will necessitate a reference to all the County Inspectors in Ireland. As regards the second part of the Question, on the 1st of May two persons were arrested in the County Galway on suspicion of being accessory to murder. On the 8th of June three men were arrested in the County Cavan on suspicion of shooting at and wounding. The only other arrests since the 1st of May are one for "Boycotting" and one for a riot.

Sir MICHAEL HICKS-BEACH asked whether any person had been arrested under the Protection of Person and Property Act of last year for having committed the mor eserious crimes; and, if not, was it because they were not suspected?

Mr. TREVELYAN: Sir, I think that is a Question of which I ought to have Notice; but, so far as my memory serves me, I have no reason to believe that there have been any.

EGYPT (DIPLOMACY, &c.)—LORD GRANVILLE AND M. CHALLEMEL-LACOUR.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, If he could explain why the grave discrepancies in the reported conversation between Earl Granville and M. Challemel-Lacour, printed in Despatch 44, page 58, of the Yellow Book on the Affairs of Egypt, presented to the French Chamber, and which, as reported, were calculated to convey a totally erroneous impression of the Egyptian policy of Her Majesty's Government, were allowed to go uncontradicted until the attention of Her Majesty's Government was specially directed to the alleged utterances of Earl Granville by a question in Parliament, although some time had elapsed since the presentation of the Yellow Book to the French Chamber, and the publication of the above-mentioned Despatch in the press in England and on the Continent?

SIR CHARLES W. DILKE: Sir, before replying to the hon. Member, I must first protest against Questions of this kind, which serve no public interest, which take up considerable time of the House and of the Department concerned, and which impede the proper conduct of foreign affairs. Having said thus much, I may state that the hon. Member is mistaken in every one of the implications stated in his Question. The first copy of the Yellow Book on Egyptian Affairs reached the Foreign Office on Monday morning last, the 26th, having been despatched by Lord Lyons on Sunday, his Lordship stating at that time he was quite unable to obtain more than one copy. It was looked through in the ordinary course by the heads of the French and Turkish Departments, Lord Tenterden and myself, and then by Lord Granville; and, on the following afternoon, immediately after reading it, Lord Granville gave orders for the drafting of the despatch to Lord Lyons which I mentioned yesterday. The draft was written out on Tuesday afternoon, approved by Lord Granville on the same day; the despatch was written out on Wednesday, and forwarded to Lord Lyons on Wednesday night.

BARON HENRY DE WORMS: I should like to ask the hon. Baronet, Whether, when he had that information in his possession, it would not have been more in accordance with courtesy if he had given me that answer when I asked him before?

SIR CHARLES W. DILKE: The hon. Member, so far as I am aware, never put this Question before. He simply asked whether any answer had been made to the French Government, and I said it had immediately.

BARON HENRY DE WORMS said, he asked whether these statements were correct or not; and, of course, if the hon. Baronet was in possession of information that they were incorrect, he ought to have stated it. Moreover, he might say, although the official Papers were not in possession of the Foreign Office, they were printed in the French *Figaro* on Sunday. [*Cries of* "Order!"]

SIR CHARLES W. DILKE: I really must protest against the idea that the Secretary of State for Foreign Affairs derives his impression of French official Correspondence from extracts printed in *The Figaro* newspaper, and if it were necessary to add a single word to that protest, it would be that nothing but mere extracts did appear, and that the whole documents were, of course, necessary to any consideration of the subject. Moreover, it would have been utterly without precedent, and entirely contrary to all proper conduct of foreign affairs, if any representation on that subject had been made until the official documents themselves had been received. They were forwarded at the earliest possible moment, and when the hon. Member says he has already put a Question on a former occasion regarding the incorrectness of these statements, I answered that Question as to their incorrectness fully yesterday.

SIR H. DRUMMOND WOLFF asked whether a conversation between Lord Granville and M. Challemel-Lacour was recorded in a despatch to Lord Lyons, in accordance with the invariable custom; and, if so, whether that despatch would be included in the Papers to be laid on the Table?

SIR CHARLES W. DILKE, in reply, said, there was a record of a conversation, but a very short one. There were three different conversations between Lord Granville and M. Challemel-Lacour within a few days of each other. The particular one referred to was not recorded at any length; but if his hon. Friend would give Notice of the Question he would answer it in detail.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether there is any objection to lay on the Table of the House the Despatch containing the view taken by Lord Granville of the report of the conversation between Lord Granville and M. Challemel-Lacour?

SIR CHARLES W. DILKE, in reply, said, that the Papers would be laid before Parliament, and he would ask his noble Friend (Earl Granville) whether the despatch in question could or would not be produced as a separate document?

STATE OF IRELAND—RIOTS IN COUNTY CLARE.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether John O'Callaghan, of Ballynahinch, county Clare, was arrested, together with two others, on a charge of riot and assault on 23rd June, 1881; whether the two others have been released; whether the district is quite peaceable; and, whether the Lord Lieutenant cannot now order O'Callaghan's release?

MR. TREVELYAN: Sir, His Excellency's examination into the case of John O'Callaghan, about whom the hon. Member for Clare (Mr. O'Shea) has likewise been inquiring, has not yet concluded.

EGYPT—BRITISH OCCUPATION.

MR. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether, in view of the military preparations of France and England, Her Majesty's Government will give an assurance to Parliament that no joint Anglo-French nor British occupation of Egyptian territory will take place until the Sultan, who is Sovereign of Egypt, shall have been invited and shall have formally refused to check the revolutionary party, and to restore the status quo ante in Egypt?

MR. GLADSTONE: Sir, in giving such an answer as I can to this Question, I may say that I have not in view the military preparations of France and England, with respect to which the hon. Gentleman, no doubt, has information which I am unable either to affirm or deny. But I cannot give any assurance as to what will be done in the Conference. I only point the attention of the hon. Gentleman to the fact that Her Majesty's Government have all along favoured intervention by the Sultan as Sovereign of Egypt in preference to intervention by any other Power.

POST OFFICE—THE WEST INDIAN MAIL SERVICE—SUBSIDY TO THE ROYAL MAIL STEAM PACKET COMPANY.

LORD CLAUD HAMILTON asked the Postmaster General, If he would inform the House of the amount of the subsidy paid to the Royal Mail Steam Packet Company for carrying the mails to the West Indies, and the amount of the net receipts from the Ocean postage?

MR. FAWCETT, in reply, said, that the amount paid to the Royal Mail Steam Packet Company as an annual subsidy under contract was £80,500, and the amount of net receipts from the ocean postage was £28,000.

UNITED STATES OF AMERICA—PASSENGER EMIGRANTS—LEGISLATION.

MR. MOORE asked the President of the Board of Trade, Whether he is aware that the United States Legislature is at present engaged in revising the Laws relating to emigrant ships; whether it is a fact that the number of emigrants which may be carried in each ship under the proposed legislation will be limited only by the amount of cubic capacity required, without any countercheck as to superficial area; whether the consequence of such a provision might not be to intensify existing evils, and, in the case of ships where the 'tween decks are unusually high, lead to great overcrowding; and, whether Her Majesty's Government proposed to make any representation to the United States Government on the subject?

MR. CHAMBERLAIN, in reply, said, he was aware that there were two Bills on the subject referred to in the Question now under discussion in the Senate of the United States. He did not think any good purpose would be served by making anything in the nature of a formal representation to the Government of the United States in respect to the proposed legislation in the Legislature of that country; but he had, on behalf of the Board of Trade, called the attention of the Secretary of State for Foreign Affairs to the matter, and requested him to communicate to Mr. Sackville West the opinion of the Board of Trade that it was very desirable that the regulations of the two countries in respect to this matter should be as far as possible identical, and to state that the British Government would be happy to consider any proposed amendments in their regulations, if such were thought to be desirable.

NOTICE.

THE IRISH LAND COMMISSION—APPOINTMENT OF OFFICIAL VALUERS.

MR. TOTTENHAM: On an early day, to call the attention of the House to the farce which is being enacted in Ireland of appointing an official valuer, and—[*Cries of* "Order!"]

MR. T. P. O'CONNOR: I rise to Order. I wish to ask you, Sir, whether it is in accordance with the Orders and Regulations of this House that an hon. Member should give Notice of a Question containing expressions of opinion with regard to an important tribunal in Ireland; and, whether the hon. Member who just now rose has not on previous occasions been reproved by you from the Chair for giving Notice of similar Questions?

MR. SPEAKER: Should the Question of the hon. Member, when it is brought to the Table, be found out of Order, it would have to undergo revision. I am bound to say, so far as I caught the expression of the hon. Member, that it would be necessary that the Question should undergo revision.

MR. TOTTENHAM: It is not a Notice of a Question; but a Notice to call the attention of the House to the subject.

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 29th June.*]

[TWENTY-SECOND NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

The CHAIRMAN of COMMITTEES in the Chair. [3.15 P.M.

PART III.

GENERAL POWERS.

Clause 17 (Description of "district" and provision as to raising charge).

MR. HEALY moved, as an Amendment, in page 8, line 32, to leave out the word "townland." The clause, as it stood, provided that—

> "For the purpose of the provisions of this Act with respect to additional constabulary in any district, and compensation in cases of murder, maiming, or injury, the expression 'district' means any county, barony, townland, or parish or part or parts thereof respectively."

He (Mr. Healy) thought that a townland in Ireland was much too small a portion of a county upon which to levy a charge for compensation. There were about 60,000 townlands in Ireland, and if the townland were made the district upon which compensation was to be levied where a murder had been committed, or maiming or injury inflicted, it would be quite impossible for the inhabitants of the locality to bear the burden. He quite saw what the point of the Government was—namely, that the people of the locality should bear the burden, and that no one else should be called upon to bear it; but that was precisely where the case of the Government broke down. If the people were too poor to pay the penalty, it would be useless to call upon them to do so. If the Government wanted this power of levying, it could not be very material, either to them or to the persons who were to receive the compensation, whether it came out of the townland, or the barony, or the county at large. The money was given as a *solatium* for wounded feelings, as the right hon. and learned Gentleman the Secretary of State for the Home Department told them last night, and it could not be material, where it came from. Power was given in the clause to levy the compensation on any county, barony, townland, or parish, "or any part or parts thereof," so that if the clause passed as it now stood, the entire fine of perhaps £2,000 or £3,000 might, in the end, fall on two or three individuals. The action of the Government was quite inconsistent and absurd, and the Irish Members asked that the area of a compensation which was admitted to be intended as a *solatium* should really be imposed upon a larger portion of a district than a townland or a "part thereof."

Amendment proposed, in page 8, line 32, to leave out the word "townland."—(*Mr. Healy.*)

Question proposed, "That the word 'townland' stand part of the Clause."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) wished to point out that the hon. Member for Wexford (Mr. Healy), who had moved the Amendment, had fallen into the error of assuming that the clause would only come into operation in cases of murder. He appeared to forget that it applied to the minor offences of maiming and injury; and it was not desirable to impose limits upon the power of defining the area of taxation. Although it was true that the word "townland" did not occur in the Act of 1870, it was inserted in that of 1871, by which the Act of 1870 was expressly amended. He opposed the Amendment because, after full consideration, it had been found necessary to give power for the restriction of the area so far as was deemed necessary.

MR. SEXTON protested against the argument of the hon. and learned Gentleman the Solicitor General for Ireland —that because this word was contained in a former Act of Parliament it ought necessarily to be contained in this clause. Parliament, like individuals, sometimes gathered wisdom with age. And he would ask what was meant by repealing Acts of Parliament unless that was so? As the hon. and learned Gentleman pointed out, the clause was to apply not merely to murder, but to cases of maiming and injury, and on that ground the hon. and learned Gentleman contended that the Lord Lieutenant should have the power of imposing a tax on a small territorial limit. He (Mr. Sexton) wanted to point out that even if the Amendment were adopted by the Government, the Lord Lieutenant would still have this power, because, although the word "townland" was struck out, the words "part or parts thereof" would remain, and the Lord Lieutenant would be able to place a levy on a part of a parish. He (Mr. Sexton) thought that the Amendment of his hon. Friend (Mr. Healy) proceeded upon a principle that ought to receive respectful attention from the Committee and the Government; and care should be taken by Parliament—not merely by the Executive of Ireland —that the area was not made so small as to inflict ruin upon individuals. If, unfortunately, in the future, as in the past, murders were to occur among the higher classes in Ireland, of course the levies would be proportionately large; and there could be no reasonable object for retaining in the clause so simple an area as the townland, unless the purpose of the clause was to inflict ruin upon humble and helpless persons already struggling against the burden of rack rents. What did the Government mean by this clause? The more they enlarged the area of compensation, and lightened the burden of the tax, the more willing the people would be to pay it. If, in any case under the clause, the levy became so burdensome upon the people that they were unable to pay it, what would follow? The people, finding themselves unable to pay it, would refuse to pay it; and out of this incapacity to pay would arise a conflict between the people and the Government, and out of that conflict would arise violence. There would, therefore, be a continuation of that want of peace and tranquillity which they all so much deplored. It was very sad that it was only from that part of the House that Amendments having regard to the peace and tranquillity of Ireland were proposed, and that the Government, from a superstitious desire to protect the discretion of the Lord Lieutenant, should go out of their way to lay down provisions which could not be carried into effect.

MR. O'SULLIVAN was surprised that the hon. and learned Solicitor General for Ireland should refuse to accept the Amendment, which, in his (Mr. O'Sullivan's) opinion, was a very reasonable one. He knew many townlands in Ireland which had not more than two or three tenants upon them, and the adoption of the clause as it stood would mean the ruin of those people, as they could not possibly pay a heavy fine. He thought it would be better for the Government to substitute an electoral division; but to cut down the area to a townland would make the district so small that the whole tax would fall upon a few individuals. Besides, if any persons wished to do an injury to a neighbour, against whom they had a spite, they had an actual encouragement under this clause to go into a small townland and commit a murder, in order that the penalty might fall upon the person they disliked. He, therefore, thought that the clause was more calculated to give encouragement to crime, under certain circumstances, than to act as a deterrent. He trusted the Government would reconsider their decision in the matter. The adoption of the Amendment would not interfere with the power of the Lord Lieutenant to place the compensation upon the barony; but it was absurd to reduce the area to a townland, and thus to enable the wealthy persons residing in a barony to escape altogether.

MR. TREVELYAN pointed out that the Committee had discussed this question for a great many hours yesterday, and if he had spoken once upon the point, he had done so at least four or five times, and he had argued on every occasion in favour of the Lord Lieutenant retaining absolute elasticity in this clause. It was no new policy. Under the Act of 1870, as amended by the Westmeath Act, the "townland" or "part thereof," was chargeable for murder, or maiming; and, under the original Peace Preservation Act of 1848, any district defined by the Lord Lieutenant became chargeable for extra police. If they took together the two Amendments of the hon. Member for Wexford (Mr. Healy), the first of which was to leave out "townland," and the next to leave out "or part or parts thereof respectively," the smallest area on which the compensation could be levied would be the barony. Now, with regard to the barony, it was very much too large an area. He held in his hands a Return, giving a list of certain baronies in Ireland, and he found that there were many which possessed a very high valuation. In one case the valuation was £250,000, or a quarter of a million. [Mr. HEALY: Where are they?] He would read them. The value of the Barony of Rathdown was upwards of £250,000; that of Barrymore, in the county of Cork, was £250,000; there was another of £230,000; and the valuation of the Barony of Clanwilliam, in the county of Tipperary, was £215,000. It was obvious, therefore, that there were baronies in Ireland of very large value, and to confine the clause to a barony would be to make it no punishment at all, in addition to making the fine fall to a very great extent upon the innocent. The object of having this clause was that, on the one hand, the Lord Lieutenant should have power to take into account the concentration of complicity in crime and the responsibility for crime in an area of a certain size, whatever that size might be; while, on the other hand, it preserved elasticity in other respects, so as to make it a punishment, not what the hon. Member for Sligo (Mr. Sexton) was anxious to make it—namely, an instrument for the ruin of the locality, but to enable the Lord Lieutenant to retain the elasticity of the clause. He (Mr. Trevelyan) had gone carefully through the Returns of numerous instances in which fines had been levied previously under similar Acts, and he found that in a great majority of cases they were levied on a comparatively small district. But, at the same time, the fines so levied were of such a character that the notion of ruining the district was quite untenable. Of course, he admitted that there might have been abuses; but, in the hands in which the working of the Act would now be placed, he hoped and believed that no serious abuse would take place.

MR. DILLON said, he wished to direct the attention of the Committee to the last sentence which fell from the right hon. Gentleman the Chief Secretary for Ireland. They had now the very unfortunate admission from the right hon. Gentleman that there had been abuses. He (Mr. Dillon) would not say anything as to what he thought of Lord Spencer and the Government of Ireland; but he would ask if it was safe to predict in whose hands the carrying out of this Act would be placed? There was something sublime in the manner in which the right hon. Gentleman so confidently talked of the hands in which the working of the Act would be left. He (Mr. Dillon) wondered whether, if it was placed in the hands of the right hon. Gentleman sitting on the Front Opposition Bench (Mr. J. Lowther), the Chief Secretary for Ireland would be of opinion that the abuses he had mentioned would not be likely to be repeated? What security could the right hon. Gentleman give the Committee that the administration of the Act would not be placed in the hands of the right hon. Gentleman the Member for North Lincolnshire? He (Mr. Dillon) could not understand what ground the Government had for resisting the Amendment. He would state frankly that he was against the power of levying a fine upon a townland, or upon a parish. He thought the smallest area ought to be the barony. He admitted that a parish would be better than a townland, because it was larger; but the least it ought to be was a barony. What were the objects of the clause? One was to create a public opinion against the commission of crime, and the second was the compensation of sufferers from crime. Then, would it not be more desirable to create a public opinion throughout the whole extent of the barony, than to confine it to the narrow limit of a townland? He joined issue at once with the statement of the Chief Secretary for Ireland that a small fine laid on an individual would not have the same effect in creating a dislike against a certain thing as a heavy fine. When they went beyond a certain point they hit men savagely, and by no means produced the effect they desired. Men who were able to pay a fine of this nature would feel its annoyance very much. They all knew that a tax of £5 or £6 upon a farmer tolerably well off would irritate and annoy him; but if they made it a tax of £100, they put the question beyond the feeling of injury, and made the man upon whom it was imposed a revengeful and, perhaps, a desperate man. It would, therefore, be much better to levy the charge upon the barony than upon the townland. There was one argument which had been advanced in the course of the discussion that was most absurd—namely, the anxiety that the tax should not fall upon the innocent. The Committee had been told *ad nauseam* that these outrages were invariably committed by strangers. They had passed a horrible clause for clearing away all strangers, and now the Government turned round and told them that if they went outside a very limited area they would be sure to impose a fine upon innocent people. The hon. Member for the County of Galway (Mr. Mitchell Henry), who seemed to be practically acquainted with all the murders which occurred in the West of Ireland, assured the Committee from personal knowledge that the poor people of the locality had had nothing to do with the murders, but that they were committed by wealthy strangers, who were the agents of secret societies from a distance. If that were so, why levy upon a small locality a frightful fine for the acts of bad strangers? The hon. Member for Galway assured the Committee yesterday that no outrages were committed by poor men. If they had a man who was not poor, and not an inhabitant of the locality, committing crimes, what object was there in levying an enormous fine upon the poor inhabitants of a locality, in order to punish these rich strangers? Of course, ninety-nine hundredths of the tax would fall upon innocent men. That they all admitted. The question was not, however, whether it was to fall upon innocent or guilty men, but whether they were to make the clause of such a character, and to distribute the fine over such an area, that although it might be an annoyance and a great grievance, it should not inflict utter ruin upon those who had to pay it. He did not pretend to be acquainted with the plan of campaign pursued by "Captain Moonlight," because he had been removed from the scene during the time that individual was at large in Ireland; but those who were acquainted with the country during the time "Captain Moonlight" performed his operations stated that while he (Mr. Dillon) was not on the war-path, the gang always went to a district in which they were unknown. It was in that way that the outrages upon which the heaviest fines would be levied upon a district would be committed. Suppose a man went from a distant part of Ireland and committed a crime in a poor district, in such a case the clause would leave it to the discretion of the Lord Lieutenant to levy on that poor district a heavy fine for an outrage which, probably, the people living in the district had nothing to do with at all. Clauses of this kind would convince the people, as he had more than once pointed out to the Government, that law and order were their enemy. That would be a grave difficulty to contend with, if they once allowed the people to get hold of the idea that law and order were opposed to them, and that the more law there was the more they were to be taxed unjustly, and made to suffer for acts they had not committed. In such a state of circumstances, all the Coercion Acts they could pass would be perfectly fruitless, so far as the preservation of law and order were concerned. If they did not make it apparent that the provisions of the Bill were drawn in a spirit of justice, they would be altogether ineffectual. The Government had their own opinion as to the operations of "Captain Moonlight;" but if the clause remained in its present shape, the outrages of "Captain Moonlight" would be more frequent and more severe in their character. He would, therefore, earnestly urge upon the Government that all the objects they had set before themselves in this clause could be fully and equally well, from their point of view, achieved by making the levy upon the barony instead of upon the townland, while the dangers he had pointed out, and which were real and serious dangers, would enormously increase the difficulty of the task of governing Ireland. Indeed, under the clause, the difficulty of that task would be so greatly increased that he did not envy the Chief Secretary for Ireland in the discharge of the responsible duties he had undertaken.

Mr. J. LOWTHER said, he was most anxious to contribute towards the limitation of discussion upon the present clause, and with that view he would venture to say one word in regard to the observations which had been made by the right hon. Gentleman the Chief Secretary for Ireland, and which had been taken up by the hon. Member for Tipperary (Mr. Dillon). He (Mr. J. Lowther) did not quite know the sense in which the Chief Secretary for Ireland meant his observations to be directed, when he proceeded to pass a somewhat hackneyed encomium upon the Irish Executive, and went on to add that instances of the abuse of powers similar to those now under consideration had occurred under previous Administrations.

Mr. TREVELYAN: I said nothing about previous Administrations.

Mr. J. LOWTHER: Then what did the right hon. Gentleman say?

Mr. TREVELYAN: I referred to the working of the Grand Jury Act, under which heavy fines have been levied upon limited districts.

Mr. J. LOWTHER: In what cases?

Mr. TREVELYAN: If the right hon. Gentleman will go on I will explain by-and-bye.

Mr. J. LOWTHER said, he had understood the observations of the right hon. Gentleman to apply solely to cases of fines imposed by the action of the Executive similar to those which would come into effect under this clause. He did not understand the right hon. Gentleman to refer to fines levied by the Grand Juries, with which this clause had nothing to do. Certainly, the clause now under discussion referred to a power to be given to the Executive of levying a charge, and he thought it would be more in Order if the right hon. Gentleman and other Members of the Committee would confine their observations to the four corners of the clause.

Mr. SYNAN: And yourself also.

Mr. J. LOWTHER said, that, notwithstanding the uncalled-for interruption of the hon. Gentleman the Member for Limerick (Mr. Synan), he should do so. He had understood the hon. Member for Tipperary (Mr. Dillon), and also the right hon. Gentleman the Chief Secretary for Ireland, to refer to the previous abuse of powers which the Committee were asked to confer upon the Government by this clause, and he only wished to say that the reference of the hon. Member for Tipperary (Mr. Dillon) showed that, in the opinion of that hon. Member also, the observations of the Chief Secretary had a personal significance, because the hon. Member had referred specifically to his (Mr. J. Lowther's) administration of the Peace Preservation Act. The same matter was also referred to by the hon. Gentleman the Member for Galway (Mr. Mitchell Henry) the other day. He had no wish to detain the Committee by "harking back" upon any old stories. He had, however, simply risen to say that any single act he had performed in the administration of Ireland he was prepared, on due Notice and at the proper time, to defend; and if Her Majesty's Government or any other Member of the House wished to call any of his public acts in question, he should be glad to meet them on that ground. In the meantime, he acquitted the right hon. Gentleman the Chief Secretary for Ireland of having made any personal charge against him; but in the interests of the public time, instead of making general observations, he thought it would be better for the Government to confine themselves to a defence of their own acts.

Mr. TREVELYAN said, he was obliged to the right hon. Gentleman opposite (Mr. J. Lowther) for his lecture. The right hon. Gentleman had lectured him upon two points, in regard to both of which it appeared to him (Mr. Trevelyan) that he was innocent. In the first place, the right hon. Gentleman accused him of having travelled away from the discussion of the Amendment. Now, the Amendment was put on the Paper by an hon. Member who knew very well what he was about, in order to guard against the possibility of a ruinous fine being laid upon a district, and he (Mr. Trevelyan) had been discussing the question whether a ruinous fine would be laid upon a district under this clause. The question of the pressing nature of the fine was the very question to which the Amendment was directed. The other point upon which the right hon. Gentleman lectured him was that he (the Chief Secretary for Ireland) had referred to previous Administrations, and not confined his remarks to the present Government. The right hon. Gentleman said that he (the Chief Secretary for Ireland) was always praising the Irish Government; but his laudation consisted simply in this —there were certain points upon which he asked the Committee to have confidence in the Irish Government. He begged them to extend that confidence to the Government; and if, in doing so, it was to be understood that he was passing an indirect encomium upon the Irish Government in the present state of Irish affairs, it was an encomium which he was obliged to pass. He simply meant that the Irish Government asked the House of Commons to trust them. The right hon. Gentleman opposite said the Government ought to confine themselves to defending the acts of their own Administration, and that they should not comment upon those of a previous Administration. Now, the right hon. Gentleman had been Chief Secretary for Ireland, and he knew that the cases of compensation for murder and maiming and injury, under previous Acts, were not cases that were dealt with by the Executive, but by the Grand Juries. Surely the right hon. Gentleman did not require that a Successor in his Office should teach him that? As to abuses, he had only put it that there might have been abuses; and, after all, that was an extremely mild criticism. He could assure the right hon. Gentleman that if he would examine the Returns, he would find that some very heavy fines indeed, in comparison with the size of the district, had been levied under previous Acts. In one case, compensation was awarded to a townland to the extent of 10*s.* 6*d.* in the pound. [Mr. J. Lowther: By the Chief Secretary?] He had not stated anything of the kind. In this clause, the Government proposed to take over what had hitherto been the powers vested in the Grand Jury Act; and what he said was that the abuses which had existed under the old system would not be allowed to exist again. He found there was another case in which payment was made by six instalments, the aggregate amount of which was £1 13*s.* 9*d.* upon every pound of value. These were the sort of fines which he thought the Lord Lieutenant would in future prevent; and the only encomium he had passed upon the Government was in saying that he believed they possessed the confidence of the people, and would be able to carry out the intentions with which they had introduced the Bill.

Mr. MITCHELL HENRY believed the way in which the fines would be assessed by the Lord Lieutenant would be much more discriminating than by the Grand Juries. It was necessary, in the present state of Ireland, that he (Mr. Mitchell Henry) should not allow what the hon. Member for Tipperary (Mr. Dillon) had stated in reference to the murders that were taking place in that country to pass altogether without notice. He (Mr. Mitchell Henry) had never volunteered any opinion as to the persons by whom the murders had been committed. [Mr. Healy: Yes, you did.] The hon. Member for Wexford (Mr. Healy) was always ready to interrupt him most unfairly and most irregularly. He (Mr. Mitchell Henry) had never expressed any opinion as to the class of persons by whom these murders were committed; but the hon. Member for Cork City (Mr. Parnell) had stated a short time ago that certain murders in Ireland were committed by the farmers' sons.

Mr. PARNELL denied that he had said that the farmers' sons had committed the murders. He had expressed no opinion of that kind, nor did he believe that the farmers' sons were the criminals. In point of fact, he had not spoken upon this clause at all.

Mr. MITCHELL HENRY said, he had not stated that the hon. Member had made the assertion on that occasion; but the hon. Member spoke on the subject about a fortnight ago, and he would by-and-bye submit to the House, from the pages of *Hansard*, the words of the hon. Member.

MR. PARNELL called upon the hon. Member for Galway (Mr. Mitchell Henry) to produce the words he referred to. [*Cries of* "Order!"] The hon. Member had brought a serious accusation against him. The hon. Member said that he (Mr. Parnell) had stated a short time ago—although the hon. Member now amended that assertion by saying that he (Mr. Parnell) had stated it a fortnight ago—that these murders had been committed by farmers' sons. He (Mr. Parnell) denied that assertion, and he called upon the hon. Member to verify his statement.

THE CHAIRMAN said, the discussion was getting very irregular. The hon. Member for the City of Cork (Mr. Parnell) would have an opportunity of replying by-and-bye.

MR. MITCHELL HENRY said, the debate would certainly not be facilitated by these interruptions. The statement to which he referred was made by the hon. Member a short time ago, when he was attempting to account for these murders. The words of the hon. Member were recorded in the pages of *Hansard*, and he would produce them presently. The hon. Member for Tipperary (Mr. Dillon) yesterday expressed his opinion that these murders were committed by poor starving peasants. He (Mr. Mitchell Henry) had expressed his belief, in exoneration of the poor starving peasants of the West of Ireland, that they were not the persons who committed these murders. He would now distinctly state his belief that the crimes themselves were committed by hired assassins, who were brought into the district by the secret societies. That was the way in which these murders were committed, not by farmers' sons, but by hired assassins. So low were men sunk in Ireland that persons were to be found to commit murder as a profession for the receipt of small sums of money. Having now said that, he would go out of the House and verify his assertion by producing *Hansard*.

THE CHAIRMAN said, he must point out to the Committee that they were drifting into a general discussion, instead of confining themselves to the simple Amendment, that the word "townland" stand part of the clause.

MR. MOORE said, the blot in the Bill was that it placed these fines upon a particular district without making any investigation into the facts of the case. Personally, he considered the question of the amount of the fines as important as the justice of imposing them upon particular persons. If men committed a crime, they deserved to pay for it; but the question they had to look to was not the amount of the fines, but the way in which they could bring the penalty home to the right persons. That was the real question. Under the Bill they took power to inflict the fine as they chose. No public investigation was allowed, but the Lord Lieutenant was obliged to act upon the private report of some person or other. Until that blot was removed from the Bill, the Lord Lieutenant could strike out any number of places he liked, and impose a fine, without investigation, upon a very restricted area. No area would be too small, no number of persons too few, to place the tax upon, so long as that power existed without investigation, and without a public inquiry in open Court. He thought the Committee ought to object most strongly to these small areas being placed in the Bill. So far as the Grand Juries were concerned, there was a great deal of fairness and justice in the way in which they administered the law. He had often sat on a jury when the law had been administered. Every person in the district had the fullest right to traverse the presentment, and the result was that the tax was rarely levied, except upon those who had been aiding and abetting in the crime, or in concealing it, and to a great extent substantial justice was done. It was now proposed to take power to place this taxation on an area, no matter how small it was, and how few persons were living within it, without any investigation, and without any inquiry as to the necessity of the employment of additional police. The result of that might be that if a man were insolvent, and utterly unable to pay his way, if he happened to be living upon a farm, and wished to ruin his neighbours, all he had to do was to burn his own house, destroy his own property, and then go off to the police declaring that he was a ruined man, and asking for compensation from the Government. Without the slightest inquiry into his claim, a heavy tax would then be levied upon the district.

Mr. SEXTON wished to state two or three facts which presented a conclusive case in favour of the Amendment of the hon. Member for Wexford (Mr. Healy). His hon. Friend proposed to exclude the area of the townland, leaving the tax to be imposed upon the area of the barony. Now, there were 32 counties in Ireland, with 2,340 parishes, 325 baronies, and 3,488 electoral divisions. Each electoral division would, therefore, average about the 100th part of an Irish county, as against the 80th in the case of parishes, and one-tenth in the case of baronies; and the Committee would do well to consider whether the 100th part of an Irish county was too large upon which to levy, and to leave the painful impression that would be produced by the operation of this clause. But did the Committee know what was meant by a townland? There were some 60,958 townlands in Ireland, and the number of holdings was only 544,000, so that the startling fact appeared that the average number of holdings in an Irish townland was nine. Then, what in the world could be meant by imposing upon a single townland a heavy fine for murder, except the ruin of the nine inhabitants of that townland? He took it that the levy of £1,000 would be comparatively a small levy for a murder. He knew of much larger sums having been levied; but he would take the sum of £1,000, which he knew would be considered by a Grand Jury, or by the Lord Lieutenant, a very moderate sum for such a crime. It would amount, therefore, to more than £100 upon each of the tenant farmers of the townland. The Government might impose such a penalty, but they would never get it, because it was practically impossible for the farmers to pay it. There were some 60,000 townlands in Ireland, and the valuation, according to Mr. Thom's *Directory*, which was considered a work of great accuracy and value, was £13,715,943. That gave an average value for an Irish townland of £225. Then let the Government consider for a moment what would be the effect of levying a tax for maiming and murder upon an average rateable value of £225. In no case of murder would the levy be less than £500; and what would be the practical effect of levying a tax of £500 upon a townland the rateable value of which was only £225? In other words, the levy would amount to double the rent. They all knew that in Ireland at present, not merely in the poor districts, but all over the wide extent of the country, the people were struggling miserably and desperately to pay the rack-rents which the slow and limping Land Court, established by the Government, had not yet been able to attack. Then, would the right hon. Gentleman tell him with what hope for the future, and with what feeling—except the fear of conflict with the Government—they could bring these unfortunate people to meet the demand which might be made upon them by the Lord Lieutenant? He hoped that his hon. Friend (Mr. Healy) would persevere with his Amendment.

Mr. O'SULLIVAN joined in the appeal to Her Majesty's Government to reconsider the clause, and suggested that "electoral divisions" should be substituted for "townland" as the district in which to levy these fines. The average value of an electoral division was from £6,000 to £8,000, and that ought to be an area small enough, unless the object was to ruin the families on whom the fine was imposed. As his hon. Friend the Member for Sligo (Mr. Sexton) said, in many of these townlands there were not more than from eight to ten tenants, and if it were ever sought to impose a tax of £1,000, or even of £500, upon so limited a number of persons, the result would be certain ruin to them. He did not see why the Government should persevere in retaining the word "townland," and he trusted that if they would not extend the limitation to the barony, they would, at least, accept the electoral division.

Mr. LEAMY thought that the right hon. Gentleman the Chief Secretary for Ireland, in refusing the Amendment, had not borne in mind the Amendment which stood a little lower down in the name of the Secretary of State for the Home Department, and which followed up the power taken by the Lord Lieutenant in a former section of exempting portions of a district or of a townland from the imposition of the fine. As the clause at present stood, the Lord Lieutenant had power to impose a double charge—one for the cost of extra police, and the other in the shape of compensation for murder, maiming, or injury. It was almost certain, therefore, that in any district in which compensation was levied for murder extra police would be employed, and consequently there would be a double charge. But, if the clause remained unaltered, the Lord Lieutenant would have power, first of all, to impose a fine upon a townland, containing, perhaps, no more than nine houses; and he would then have power to exempt, say, three of those holdings. He thought that was far too great a discretion to give to the Lord Lieutenant, and he trusted that if the clause was passed as it stood, in any levy that might be made hereafter the Lord Lieutenant would bear in mind the opinion which had been expressed by the Chief Secretary for Ireland, who told them that, although the word "townland" was to be found in the Act of 1871, the fine would be imposed so as to avoid inflicting excessive hardship upon any particular individual or locality. It was hard to point out any single evil of this kind in the Bill for which the right hon. Gentleman could not produce a precedent in former years. Of course, Irish Members knew very well that you could always find something in former Acts that would give countenance to these measures of consolidation of former penalties. The hon. Member for Sligo (Mr. Sexton) had shown an unanswerable case, founded upon the statistics which he had quoted to the Committee, against the retention of "townland" in this clause, unless the Government wished to ruin innocent people. It would be impossible for the Lord Lieutenant to levy such an amount of compensation as £1,000 upon a townland, and, therefore, he appealed to the Chief Secretary to agree to the Amendment before the Committee.

Mr. DILLON asked whether the Government were going to frame any provision for exempting from this tax tenants in Ireland who were in arrear with their rent?

The CHAIRMAN called the attention of the hon. Member (Mr. Dillon) to the fact that the Amendment before the Committee was simply a proposal for the omission from the clause of the word "townland."

Mr. MITCHELL HENRY said, on the 15th of May, the first night of the debate on the introduction of the Arrears of Rent (Ireland) Bill, the hon. Member for the City of Cork (Mr. Parnell) said, in his (Mr. Mitchell Henry's) hearing, in the course of an explanation with reference to agrarian outrages, that he believed they were committed by the small farmers with the intention of terrifying the larger farmers from paying their rent. The third day after, the "Lieutenant" of the hon. Gentleman—the hon. Member for Wexford (Mr. Healy)—rose and, correcting the hon. and gallant Member for Cork County (Colonel Colthurst), who had referred to the statement of the hon. Member (Mr. Parnell), said the hon. Member for the City of Cork had stated that the outrages were promoted by the sons of the small farmers. The Committee would perceive from this that he (Mr. Mitchell Henry) had a complete recollection of what the hon. Gentleman had stated with reference to these outrages.

Mr. PARNELL asked the hon. Member for Galway to read what he did say.

Dr. COMMINS said, it was clear that these charges could not be collected by the poor rate collectors or the county rate collectors. The only possible way open to the Lord Lieutenant would be the mode of collection which was to be found in the 4th sub-section of the previous clause.

The CHAIRMAN pointed out that the question before the Committee had no relation to the collection of the charge; it was simply as to whether the word "townland" should be omitted from the clause.

Dr. COMMINS said, he was showing that without the Amendment of the hon. Member for Wexford (Mr. Healy) collection of the charge would be impossible, unless the Lord Lieutenant assessed a lump sum upon every individual within the district.

Mr. CARTWRIGHT intervened for a moment in the discussion for the purpose of saying that he understood the hon. Member for the City of Cork (Mr. Parnell) to deny the accuracy of the words attributed to him by the hon. Member for Galway (Mr. Mitchell Henry).

Mr. LABOUCHERE rose to Order. Had this anything to do with the discussion of the Amendment before the Committee?

The CHAIRMAN said, unless the hon. Member for Oxfordshire (Mr. Cartwright) were about to apply the remarks he had made to the question before the Committee, they would not be in Order. He would point out that the Committee were travelling altogether beyond the question of omitting the word "townland," to which their arguments must be strictly confined.

Mr. HEALY said, he had been accused on the previous evening of having brought the Committee down to a low level.

Mr. WARTON rose to Order. The remarks of the hon. Member for Wexford (Mr. Healy) had no reference to the subject of townlands.

Mr. HEALY said, this was a brutalizing clause, and the arguments necessary to rebut the statement of the Government in its support must unavoidably bring the Committee down to a low level. The Government proposed that a money compensation should be levied in the case of murders and other outrages in Ireland, and now they were about to reduce the area on which the charge would be levied to that of a single townland. The policy of the Government in this matter would necessitate his using some more observations which would be of use to right hon. Gentlemen who, like the Member for North Devon (Sir Stafford Northcote), had not the courage to attack the Government in their foreign policy.

Mr. WARTON again rose to Order. Were the remarks of the hon. Member (Mr. Healy) relevant to the question before the Committee?

The CHAIRMAN said, he must find out what the argument of the hon. Member for Wexford (Mr. Healy) was before he could tell whether his remarks were relevant or not.

Mr. HEALY observed, that he was about to say that the Government had stated that compensation must be levied on a small district, for fear that if they made it larger they would include a great many innocent persons. He was most desirous of having the word "townland" omitted from the clause. If persons desired to kill a man without having to pay for it, they would wait until they got him outside the townland. That might seem a shocking idea; but it was necessary to use a brutal argument against a brutalizing clause. The right hon. Gentleman the Chief Secretary for Ireland said that no townland would be called upon to pay more than it could afford to pay. Well, then, all the people had to do was to commit a sufficient number of crimes in order to prove their incapacity. If one murder was compensated for at £1,000, 10 murders would cost £10,000. It would be impossible for a townland to pay any such sum. ["Oh, oh!"] Hon. Members seemed to object to his argument; but he must again point out that in dealing with a matter of this kind, it was necessary to fight the Government with the weapons they themselves made use of. The arguments of the Government on the clause admitted of no other form of reply. The subject before them was murder, and by a prolonged discussion of that the feelings of the Committee became naturally agitated. But it was also a question of extra police; and here, again, without the smallest investigation on the part of the Lord Lieutenant, the whole charge was to be levied upon the unfortunate townland. The Chief Secretary for Ireland had referred to several baronies rated at large sums of money. But they were situated in the most fertile parts of the country. The right hon. Gentleman should have taken the baronies where murder was committed, and then he would have been able to inform the Committee that the crime was committed in poverty-stricken areas. It was perfectly futile for the Government to levy fines upon small areas of that kind. If they wanted to give a *solatium* to the persons interested, let them levy the amount upon the whole of Ireland. So far from preventing crime, the result of the Government policy would be to harden the people of the locality; and, in that way, they would be doing harm, and not good. He would remind the Committee that Mr. Bourke, although he lived in the county of Mayo, where he carried on the operations which brought upon him the dislike of the people, was shot in the county of Galway.

Mr. MITCHELL HENRY trusted that, as an act of courtesy, the Committee would allow him to resume, as he had now *Hansard* in his hand.

The CHAIRMAN: I trust the hon. Member is not going on with that matter again.

Mr. MITCHELL HENRY said, having made a distinct allegation as to an important statement by a Member of that House (Mr. Parnell), and having received a direct contradiction from that hon. Member, he wished to be informed whether, by the courtesy and indulgence of the Committee, he (Mr. Mitchell Henry) might read from the statement of the hon. Member, which he held in his hand, in order to show that the hon. Member was wrong in his denial?

THE CHAIRMAN said, the hon. Member would be in Order if he simply read the extract without entering into any discussion upon the subject.

MR. MITCHELL HENRY said, certainly; he merely wished to read the words of the hon. Member.

MR. PARNELL: Before the hon. Member makes his explanation, I think the Committee are entitled to hear what the allegation is.

MR. MITCHELL HENRY: On the 15th of May the hon. Member gave the House an expression of his opinion as to the persons committing these murders.

MR. PARNELL remarked that the hon. Member for Galway (Mr. Mitchell Henry) had received permission to make an explanation with regard to an allegation made some time since, and which allegation he (Mr. Parnell) contradicted. He thought it proper that the hon. Gentleman should state what the allegation was, for he had not heard it.

THE CHAIRMAN said, he had informed the hon. Member for Galway (Mr. Mitchell Henry) that he could read the passage in question.

MR. MITCHELL HENRY: The hon. Member said—

> "In his belief the persons who were taking part in these 'Moonlight' outrages . . . . . were the smaller tenantry on the estates who were unable to pay their rent, and who were attempting to intimidate or coerce the larger tenantry who were able to pay, in order that they might not be evicted after the landlords had obtained the bulk of their rents from the larger tenants."—[3 *Hansard*, cclxix. 793.]

On the 18th of May the hon. and gallant Member for the County of Cork (Colonel Colthurst) said, speaking of the statement of the hon. Member for the City of Cork (Mr. Parnell), that that hon. Gentleman had said that these murders had, in his belief, been committed by the smaller tenants, upon which the hon. Member for Wexford (Mr. Healy) immediately corrected him, by saying that the hon. Member (Mr. Parnell) had said they were not committed by the smaller tenants, but by the sons of the small farmers.

MR. PARNELL said, the hon. Member (Mr. Mitchell Henry) had read a full and correct description of what he did say—namely, that the "Moonlight" outrages were committed by the smaller tenants, who were unable to pay their rents, and who sought to intimidate in this way the larger tenants. His (Mr. Parnell's) correction of the hon. Member was perfectly substantiated by the passage which had been read. But the Committee had been discussing the murders committed in Galway, and these were of an entirely different character to the "Moonlight" outrages to which he had referred. Everyone who studied the course of events in Ireland knew perfectly well that the character of the outrages there changed.

THE CHAIRMAN said, the hon. Member had risen for the purpose of making a personal explanation; and that having been made, the Committee would now proceed to consider the Amendment before them.

MR. PARNELL wished to point out that, while not objecting to the right hon. Gentleman's ruling, he had not been permitted to give his personal explanation, and, therefore, he should sit down. He was proceeding to give it when the Chairman interposed.

MR. GILL said, with reference to the word "townland," he would submit to the Government and to the Committee that it should be taken out of the Bill, because he (Mr. Gill) believed that it had been introduced into the clause by a mistake on the part of the draftsman. He would venture to give the Committee his reasons for that opinion. If hon. Members would look to the words of the sub-section they would see that they appeared to proceed in a descending scale, the largest area being given first, and so on. Now, in the present arrangement of the first sub-section of this clause, some of the descriptions of the areas stood in their correct relative positions to others; but that was not the case with all of them. For instance, "county" was correctly placed; "barony" was so also, and then came "townland," which was put into its position after the word "barony," as if it represented a larger area than "parish," which followed it. Now, he (Mr. Gill) would point out to the Committee that the word "parish" should follow the word "barony" to make this descending scale, which the draftsman had in his mind, complete. The draftsman was evidently under the impression that "townland" meant a larger area than "parish;" whereas, if he had known the real facts of the case, he would have placed it in its proper relative position after the word "parish." That might, perhaps, be a reason, from the Government point of view, why "townland" should stand in its present position in the clause; but he would point out that there were in Ireland 1,000 parishes, and 60,000 townlands. It was, therefore, correct to say that a parish was equivalent to 60 of these townlands. The small area of the latter was very well known in Ireland, and it was often said of a farmer there that he farmed an entire townland. He thought he had given a very strong reason why the word "townland" should be taken out. This was a matter worthy of consideration on the part of the Government, because it might happen that if the authorities had power to levy a fine upon a townland, in some cases the entire fine would fall upon one or two farms, whereas by spreading it over a larger area like a parish, it would make the fine very much less upon the individuals concerned.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) reminded the Committee, in reply to the argument of the hon. and learned Member for Roscommon (Dr. Commins), that during the last 46 years the Grand Juries had been, and were still, exercising the power of levying compensation for malicious injury upon townland areas. The words of the Act of the 6 & 7 *Will.* IV. being "barony, parish, district, or townland," and that Act was still in force. It was not to be supposed that in every case compensation would be assessed on the townland alone, as cases would occur where it would be necessary to extend it to the larger area. The Government, however, should be empowered to regard townlands as the unit. There were many cases in which the townlands were small and poor; but others were large and wealthy, and afforded every element for providing proper compensation. Another reason which appeared to him to be conclusive on the point of retaining this word in the clause was that outrage might have its centre in a townland which was at the border of a barony, and might be the result of a combination of persons in two, or three, or four different parishes. Now, unless "townland" were allowed to remain in the clause, the compensation in such a case might have to be assessed not on one barony, but on two or more, as the case might be, whereas the guilty area might consist of a very small portion of each. That seemed to him to be a reason for assessing compensation on townlands; but the intention was to leave it to the Lord Lieutenant to consider whether it should be so levied, if the facts of the case rendered it necessary. He had known cases in which £2,500 had been awarded as compensation for malicious injury to property. That sum, of course, was not likely to be assessed by the Lord Lieutenant on one or two townlands. It would, however, depend upon the circumstances of each case. But there were cases numerous in practice where outrages not so grave in their character were the cause of awards, probably amounting, on an average, to £20; and in such cases as those, where it could be clearly shown that disaffection existed in one particular townland, there appeared to be no reason that he could see why the amount should not be levied upon the townland exclusively. These being the facts of the case, he appealed to the Committee not to occupy more time in discussing the Amendment, but to give the Executive the power of doing justice—a power which would absolutely be taken from them if the Amendment were carried.

MR. O'KELLY said, the hon. and learned Solicitor General for Ireland (Mr. Porter) had, in saying that this power had been already exercised in Ireland, stated the very reason why Irish Members objected to its being continued to be used under the Bill. It was because they knew that this power had been exercised by Grand Juries maliciously and unfairly, and because they feared that it would be so exercised in the future, that they were strenuously opposed to its introduction into this clause. The hon. and learned Gentleman had stated that in some cases townlands would include every element of disorder. The meaning of that was, probably, that when this clause came to be applied the compensation would be put upon townlands in which certain men happened to reside. Everyone knew that there were some townlands inhabited by one man only, and that there were others inhabited by three, four, or five persons, and that in the districts where crimes were actually committed there were two sorts of townlands; the one inhabited by the rich and the other by the poor. Now, if this provision were maintained, the result would be that the magistrates who had interest at the Castle at Dublin would put upon the poor townlands all the fines; while, at the same time, they exempted their own property. This would work a great injustice among many poor townlands; there would be hundreds of men punished in this manner, who would be as innocent of the crime which might happen to have been committed there as any landlord in Ireland. Now, if these innocent men were to share in the responsibility of crimes of which they were innocent, the rich ought also to share in that responsibility; because, in most cases, it happened that one of their class had provoked the crime in the district. These were the grounds upon which Irish Members resisted this part of the clause, and the grounds upon which they pressed the Amendment of the hon. Member for Wexford (Mr. Healy) upon the attention of the Government. With regard to the discretion which the Lord Lieutenant was supposed to exercise in matters of this kind, the phrase sounded very well in that House; but hon. Members upon those Benches were perfectly aware that it meant nothing at all—it simply implied that the people at Dublin Castle would do what certain local personages told them was good for the preservation of law and order.

SIR JOSEPH M'KENNA said, there appeared to be some confusion in the minds of the Committee as to the nature of an Irish townland. He was inclined to believe that, in the minds of many hon. Members, this had been mixed up with their idea of an English township; but he would point out that the latter term implied a far more extensive and important district than the former. He could very well see that if great caution was not exercised in dealing with this matter, an immense amount of injury might be done by reducing the area of fine so low as to include only a single townland. There were certain townlands in Ireland of which the population amounted to about 100 persons, most of whom were poor people, some of them being tenants and others labourers. He did not believe that the power of selection of area for contribution would be exercised in any inconsiderate spirit by the Lord Lieutenant; but those who represented Irish constituencies ought to take care that while this power was given to the Lord Lieutenant, as little damage as possible could be done by the manner in which it was exercised.

MR. BIGGAR said, that some of the arguments advanced on behalf of the Government appeared to him to be perfectly untenable. The argument of the hon. and learned Solicitor General for Ireland (Mr. Porter), in defence of the retention of the word "townland" in the clause, was quite contrary to general experience, which was that no one appeared to know, either in or out of the locality, who it was that committed these crimes. That being so, it appeared to him that the contention of the hon. and learned Gentleman fell to the ground. It was a well-known fact that in many cases where claims were made on account of malicious injuries alleged to have been sustained, no malicious injury had been done at all. Such cases were occurring almost every day in Ireland. Anyone who experienced the slightest damage to his property at once went and made a claim on the ground that he had suffered malicious injury. This protection, therefore, given by the clause meant that the Lord Lieutenant would probably ruin the inhabitants or the ratepayers in townlands for the purpose of compensating persons who were suffering, not from the effect of injury done to them by others, but from the consequences of their own negligence. Let the Committee remember that the average valuation of these townlands was £235, and that some of them were valued at so low a sum as £100. It was perfectly consistent with their experience of the amount of compensation which might be awarded that, under the conditions of this clause, a sum equivalent to 10 years' rental of a particular townland might be levied against its inhabitants. As he understood this fine, it was not a charge upon the owner, but upon the tenant. If the Committee were amenable to reason, he thought they should agree to the proposal for omitting this word "townland" from the clause, for, in point of fact, no argument had been urged against the Amendment. The imposition of fines upon these small areas would very likely punish a number of people who were entirely innocent, while the persons who rendered the clause necessary would be placed beyond its reach and would probably escape altogether.

Mr. SEXTON pointed out that the average number of agricultural holdings in a townland was nine; the average valuation being £229. Now, it might be supposed that in cases of murder, maiming, or injury, no sum less than £100 would be levied by way of compensation under the clause; but, in such cases, he asked what would be the use of levying that sum on a place where the valuation amounted to only £229? Again, a moderate addition to the police force in a district would cost another £300 a-year. This would be more than the whole rental, and he was bound to say that if the Government believed that they could get not only these sums, but the rent also, out of such districts, they were reposing themselves in a fool's paradise.

Mr. O'DONNELL said, if the Government insisted on retaining the power to ruin townlands, it was clear that this Bill was going to be worked as an adjunct to Mr. Kavanagh's Land Corporation scheme; because, if they took such an area, and placed a fine upon it, it would insure the ruin of the whole population; they would be simply using the law to throw the farmers into the hands of Kavanagh and Company as much as possible. Was it conceivable that a case of outrage, or a case of refusal to give evidence, could be so exactly explained to the Lord Lieutenant that he would be actually able to limit and fix the responsibility upon some eight or nine heads of families, and upon such a trifling area as that of a single townland? He (Mr. O'Donnell) said that such a pretension was absurd. On the other hand, how would the thing be worked? The Lord Lieutenant would simply act on the reports of the local magistrates, who, in too many cases, in the future as in the past, it was to be feared would be actuated by their own feelings towards their tenants. If disturbances or injuries took place, or any murder were committed in that district, there would be persons on the spot, magistrates of the class who were chosen to serve on coroner's juries, and these would be relied upon to give sufficient information. Magistrates of that class would direct the action of the Lord Lieutenant, and the Lord Lieutenant, who, it was not to be supposed, would be more intelligent under a Liberal Administration than under a Conservative Administration, would be able to make use of the clause—and would make use of it, doubtless—to carry out what would be nothing else than the local malice of irresponsible individuals. The idea that the Lord Lieutenant would be able to distinguish between the information supplied by trustworthy and non-trustworthy persons in distant parts of Ireland was perfectly ridiculous. If the Government really meant to create a public opinion adverse to crime, even if founded on sordid motives, they would not use, surely, such a miserable area for their purposes as a townland? What earthly effect would the opinion of a solitary townland produce in the midst of the disturbed condition of an entire county or of every county in Ireland? The very supposition was absurd and idiotic. If the Government wanted to appeal to the sordid motives of the people, and to make the appeal sufficiently strong to produce any result at all, it was perfectly absurd to talk of appealing to the public opinion of a miserable and starving townland of half-a-dozen families, and trying to create an impression that would be favourable to the Government of Ireland upon the basis of a £200 valuation. He said that this Amendment was absolutely necessary, if there were anything *bonâ fide* about the proposal of the Government to create public opinion adverse to crime. The very means chosen by the Government to carry out their object upon the basis of a townland showed that they were only legislating in the very wantonness of provocation and petty persecution.

Mr. CALLAN thought that perhaps some compromise might be arrived at in this matter by substituting "Petty Sessions district" for the word "townland." It was perfectly clear that the draftsman looked upon a townland in Ireland as something larger than a parish. This was alone sufficient to show the impropriety of an English draftsman being allowed to draw an Irish Bill of this importance. It would have been better to submit the matter to the Irish Law Officers of the Crown. He hoped the Government, at any rate, even if they did not accept the Amendment before the Committee, or the suggestion of compromise which he had made, would, at least, place the word "townland" after "parish," in order to make common sense of the clause.

Question put.

The Committee *divided*:—Ayes 228; Noes 38: Majority 190.—(Div. List, No. 199.) [5.0 P.M.

MR. DILLON, who had an Amendment upon the Paper, in page 8, line 32, to omit the words "or parish," said, that he would not persist in it.

MR. HEALY moved, as an Amendment, in page 8, line 32, to leave out the words "or part or parts thereof respectively." The hon. Member said that he deliberately charged the Government with Obstruction, and thought that he should be able to prove his case. They had been fighting to leave out the word "townland," but the Government declined to accept that Amendment, although they still retained the words "part or parts thereof." The Committee had been for two hours wrangling for the word "townland," when actually the Government had got already in the Bill sufficient power to restrict the area in any way they chose. He challenged them to deny the truth of that statement. Did the Government really mean to split up a townland into smaller parts? It was impossible for them to do so, because a townland was part of a barony, and a barony was part of the county. In point of fact, the Government had got into a complete muddle in drafting the Bill. He should like to know who the draftsman was. He was told that it was the hon. and learned Gentleman the Attorney General for England (Sir Henry James). ["No!"] He was glad to find that that accusation was not correct. It was unnecessary, however, that he should do more now than submit the Amendment to the Committee.

Amendment proposed, in page 8, line 32, to leave out the words "or part or parts thereof respectively."—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. GIBSON wished to draw attention to the fact that the author of the last Amendment (Mr. Healy) had stated that they had been two hours discussing an Amendment which was not worth fighting for.

MR. HEALY said, that the right hon. and learned Gentleman opposite (Mr. Gibson) had misunderstood his meaning. What he intended to convey was that they had been engaged in a discussion for two hours upon an Amendment which the Government might have accepted, because they had practically got the power already. It was quite evident that the very courteous Representative for the University of Dublin had not heard what he (Mr. Healy) had said.

MR. TREVELYAN said, that the object of the Government was sufficiently obvious. The Bill was drafted in order to express the intentions of Parliament, and the nearest words which could express that intention had been adopted. If the townland or parish were considered to be superfluous cases, they might be included in the words "part or parts thereof," and then the barony itself would be superfluous, because they might be taken to mean part or parts of a county. If the argument of the hon. Member (Mr. Healy) were to apply, it would not be necessary to insert either "county" or "barony," because they could merely say "Ireland, or part or parts thereof." The object of the Government was, as far as possible, to indicate the nature of the district upon which these fines for claims were to be levied. In the case of a fine of £20 for injury done, it would be obviously absurd to levy the compensation on an entire barony, and it was necessary that there should be a power to levy it upon the small area to which the Government thought it ought to apply.

MR. T. P. O'CONNOR said, that it was obvious what the intention of the Government was, and it was quite unnecessary for the right hon. Gentleman the Chief Secretary for Ireland to enter into an explanation. They could reduce a county to a barony, and a barony to a parish, a parish to a townland, and a townland to the holdings of a few individuals. He (Mr. T. P. O'Connor) very much regretted the absence of the right hon. and learned Gentleman the Secretary of State for the Home Department.

[Mr. Healy: No, no!] It was always unpleasing to him (Mr. T. P. O'Connor) to miss the absence of a dear familiar face, even if it was that of the right hon. and learned Gentleman. If the right hon. and learned Gentleman had been present, he would have said to him what he would now say to the hon. and learned Gentleman the Attorney General for England, that the retention of these words was a distinct breach of the undertaking which had been given on the part of the Secretary of State for the Home Department. When he (Mr. T. P. O'Connor) proposed the Amendment in Clause 15, with regard to the levying for extra Constabulary, in the 3rd subsection of that clause, the object of which Amendment was to take out of the clause the words limiting its operation, the right hon. and learned Gentleman (Sir William Harcourt), when accepting it, remarked that it would be obviously unfair that the Government should be able to minimize the area on which the fine was to be levied. He (Mr. T. P. O'Connor) was not aware at the time, although the right hon. and learned Gentleman was perfectly aware of it, that this concession in Clause 15 was taken back again by Clause 17. When he (Mr. T. P. O'Connor) challenged the right hon. and learned Gentleman with the fact that the concluding words of Sub-section 3 of the 15th clause actually gave back the power which he consented to omit, the right hon. and learned Gentleman stood up, and, with the air of ingenuousness he could histrionically assume, said that he did not intend to take away with one hand what he gave with the other. But, in the face of that fact, it was found that in the 1st section of the present clause the very words of limitation that the right hon. and learned Gentleman consented to take out of Sub-Section 3 of Clause 15 were retained. He contended that that was a gross instance of disingenuousness on the part of the right hon. and learned Gentleman. He thought the right hon. and learned Gentleman might have at least had the decency to be in his place, and release himself from the pledge he had twice solemnly made to the Committee.

Dr. COMMINS said, that the argument used by the hon. and learned Solicitor General for Ireland (Mr. Porter), with regard to the last Amendment, was an irrefragable argument for accepting the present Amendment. The hon. and learned Gentleman had referred back to the Grand Jury Act, in order to show that hitherto these fines had been assessed upon townlands, and therefore argued that, in apportioning the charge of culpability, they must retain the same unit. The words now objected to were either useless or mischievous, presuming the statement of the hon. and learned Gentleman to be correct. They were utterly useless in their application to a county or barony, because, if the townland was the limit of taxation, they could not have part or parts of a barony made up by townlands. The clause would be unintelligible, unless it was the object of the Government to assess the fines on some other method than was now known, and to make it a tax on individuals residing within geographical lines. Of course, he admitted that the argument of the Government was good in retaining townlands, supposing that their object was to break up the townland, and slice off a portion of it. But such power might be used in the most oppressive manner, and would render this clause more oppressive than any measure known in the country since the days that the Poll Tax was imposed. If it was intended to work the Act in such a way that one individual should pay so much, and another should pay so much, without any regard to their paying capacity, or the chance of their being able to get it, well and good; but, unless that was the object, and it was really intended to make the Act an Act of individual oppression, it was absolutely necessary that the Amendment should be adopted.

Mr. SYNAN asked the Government if it was necessary for their purposes, and for the purposes of the Bill, to retain these words? Surely the denominations of areas mentioned in the Bill were sufficiently small. Of course "part or parts thereof" would extend over all denominations; but, if they wanted a survey, they could not have a portion of a barony unless they selected a parish or a townland. That surely could not be the object of the Government. They could not desire a more minute subdivision, unless they wanted to have very small areas of taxation, which could only be done by a new survey. His hon. Friend the Member for Wexford (Mr. Healy) had some foundation for his charge that the Government were obstructing their own Bill. "Part or parts thereof" could not be extended to a townland. They could not have part of a townland made an area of taxation, unless the Government had already come to the conclusion that a very small portion of a townland was to be made an area of taxation under the Bill, and that it was their object to impose the charge of the fine upon a few houses. If that were so, what was there to prevent their placing the tax upon an individual, and if they did that, he would like to know what would become of the Bill in its administration in Ireland? He had taken very little part in the discussions on the Bill; but he could not help raising this objection most strongly.

MR. DILLON said, that in discussing the question of outrage, they had been told over and over again that a great deal of security against the abuse of power would rest in the fact that the administration of the Act would be in the discretion of the Lord Lieutenant. But in Clause 15 they had no such security, because it would be practically left entirely in the hands of the subordinates of the Lord Lieutenant. It would be impossible for him to do anything but take the report blindfold as to what district he was to charge with his fines. It was unfortunately quite possible to tax a portion of a townland, for the thing had been done in the past. The best portion of the land in the hands of the landlord had been omitted, while the poor bog portions, in the hands of a few tenants, had been heavily taxed under this clause. The man who owned the best portions of the land would be exempted; while the people on the bog or mountain side would be made to pay, and all the taxes would be consequently thrown upon those poor people. If there were any doubt on this point, he would ask the Committee so to fix the tax that it would not be possible to impose it upon a single townland. Take the case of a townland of 20 acres; 10 of them might be in the hands of the landlord, and the rest in the occupancy of very poor tenants, and by the clause, as it now stood, which gave the Lord Lieutenant power to impose the entire fine upon the part or parts of a townland, the entire charge might be thrown upon the poorer portion. That was why he objected to the clause so strongly. He knew of a district in which there had been no violence, or outrage, or disturbance of any kind whatever. In that district it was possible that the local landlord might propose to issue a number of writs of ejectment. He would then get the police to inform the authorities that there was reason to expect a disturbance, because he would know from experience that there was a danger of disturbance when he was about to evict by wholesale a considerable number of tenants. The authorities, having received such an intimation, would send down an extra force of police; no disturbance having, up to that time, taken place. The taxation for the maintenance of the Constabulary Force would be thrown on the district, and, although such district had nothing whatever to do with the cause of the disturbance, nevertheless the farm and the property of the man—the local landlord—who really created the disturbance, or the anticipation of disturbance, by proceeding with evictions which, according to the Chief Secretary for Ireland, were in some instances unjust and cruel, and, perhaps, some few selected tenants would be exempted from the tax, and the total charge thrown upon a few individuals. A case of this kind had occurred a short time ago under his own notice—namely, that in anticipation of a disturbance in the mind of a landlord, founded upon the fact that he was going to evict a number of his tenants, an application was made for an extra Constabulary force. He believed that the operation of the clause would place the Government in an extremely unpleasant and awkward position, and he thought that some security ought to be given that if the landlord was going to disturb a district by carrying out evictions, there should be no power to throw additional taxation upon the poor inhabitants of the locality.

MR. T. P. O'CONNOR said, that the Secretary of State for the Home Department had distinctly accepted the principle of his Amendment, and had followed it up by a distinct statement that he did not intend to take away with one hand what he gave with the other. He (Mr. T. P. O'Connor) wished to know if that pledge was not violated by the retention of the words "part or parts thereof," because the 17th clause ruled the 15th, and, in reality, the limit of the area on which the taxes were to be imposed by Clause 16 for the employment of additional constables was fixed in Clause 17. He, therefore, charged the Government, who had heard the statement of the right hon. and learned Gentleman, and had given their tacit assent to it, with a distinct breach of the undertaking that had been given to them, having insisted upon the insertion of these words. He invited the Government to give an answer to these accusations, and defend their conduct if they possibly could.

Mr. WARTON said, that the Secretary of State for the Home Department was not liable to the charge which had been brought against him. [Mr. T. P. O'Connor: Then what was it he did say?] He had paid great attention to the progress of the Bill, and it was not correct to say that the right hon. and learned Gentleman the Secretary of State for the Home Department, in discussing the 3rd sub-section of the 15th clause, had given the pledge ascribed to him. That was shown upon the 4th Amendment on the Paper which stood in the name of the right hon. and learned Gentleman. The 2nd sub-section of the clause provided that,

> "Any charge in respect of such additional constabulary, or any sum for such compensation as aforesaid, which is for the time being a charge payable by any district, shall be applotted rateably upon all rateable hereditaments in the district."

And after these words the right hon. and learned Gentleman proposed to insert these words—"Other than those exempted by the Lord Lieutenant in pursuance of this Act." That was a very different thing from providing what the districts were which were to be made chargeable, which was all the 1st sub-section of the clause did.

Mr. HEALY said, that the remarks just made by the hon. and learned Member for Bridport (Mr. Warton) proved the correctness of the statement of his hon. Friend the Member for Galway (Mr. T. P. O'Connor). The right hon. and learned Gentleman the Secretary of State for the Home Department must have intended to leave out the words "part or parts thereof," because he had placed upon the Paper, as his hon. and learned Friend the Member for Bridport had pointed out, another Amendment in reference to the areas to be exempted by the Lord Lieutenant. Surely they did not want three pieces of surplusage in the Bill; and the right hon. and learned Gentleman must clearly have intended to leave out the words now objected to, because, in the 3rd sub-section of the 15th clause, he agreed to omit the words "Any limited portion of that district as the Lord Lieutenant may order;" and, following that up, he must have intended to omit the words "part or parts thereof," because, if they were not omitted, the Lord Lieutenant would not have the power to exempt certain districts, and there would be no use in recording the Amendment "other than those exempted by the Lord Lieutenant in pursuance of this Act." Under the circumstances, he trusted that the Chief Secretary for Ireland would reconsider his determination with regard to the Amendment.

Mr. J. LOWTHER said, that, with regard the alleged promise on the part of the Secretary of State for the Home Department, he had distinctly called the attention of the right hon. and learned Gentleman to the interpretation which was placed upon it by hon. Members below the Gangway, and which he thought was an entirely dangerous and erroneous one. Whereupon the right hon. and learned Gentleman said that he only agreed to the words being omitted, because he felt them to be unnecessary, and he thought that the words of the clause would still place in the hands of the Government the power they intended to obtain. They had now been discussing over and over again the very point which was discussed on Clause 15—namely, the power to exempt districts, which the Committee had already decided.

Mr. T. P. O'CONNOR said, that the Secretary of State for the Home Department had distinctly said that he meant to retain the power of exemption, and to retain the affirmative power of subdividing the districts, which was a very different thing. A district might be divided in one of two ways. They could sub-divide a district affirmatively, or negatively. By the exemption power, the former had been given up; but the latter power the Secretary of Sate for the Home Department insisted upon retaining. The right hon. and learned Gentleman retained that power by the Amendment which stood in his name, and which said—"In the districts other than those exempted by the Lord Lieutenant in pursuance of this Act." Secondly, the right hon. and learned Gentleman retained the negative power of exclusion, which he meant to reserve to himself, while he gave the affirmative power of sub-division in the previous clause. He would ask the Committee to say what the two clauses were, taken together. Sub-section 3 of Clause 15 regulated the power of the Lord Lieutenant with regard to assessing the district for additional Constabulary, and Clause 17 regulated the size of the district to be assessed. The right hon. and learned Gentleman, in language as distinct as language could be, using the expression that he was not going to take away with one hand what he gave with the other, said that he would not retain the power of sub-dividing a district. Therefore, he (Mr. T. P. O'Connor) contended that the Government were guilty of a gross breach of faith, for they had retained words which the right hon. and learned Gentleman had distinctly promised to give up.

MR. TREVELYAN said, that the Government kept the promise of the Secretary of State for the Home Department, so far as the omission of the line in the 3rd sub-section of the clause was concerned. He had listened to the discussion which took place; but it was idle for anyone to pretend to give the exact words made use of, and without having taken them down. The general impression in his mind, however, was that the Secretary of State for the Home Department said that the words were superfluous, because he would be able to limit the chargeable district by the process of exemption, without being bound by the boundary of a townland. The district might be made up by cutting off any part of a townland the Lord Lieutenant chose, so as to make up the additional district in which the additional Constabulary might be quartered; but the right hon. and learned Gentleman did not in any way forego the right of making up the district in any way he chose. Then with regard to the 1st subsection of the present clause, if the words "part or parts thereof respectively" were left out, it was true that by the power of exemption in Clause 15, as far as the additional Constabulary were concerned, there would be the power to exempt even a part of a district in which the Constabulary were quartered. But they were words, however, which it was absolutely necessary to retain in the case of compensation for murder, maiming, or injury. They did not in the least degree strengthen the powers of the Government with regard to the charge for additional Constabulary in any district. When the Committee came to the Amendment of his right hon. and learned Friend, he (Mr. Trevelyan) would be able to explain the reason for that Amendment; but the words "part or parts thereof respectively" were not in the least affected by his right hon. and learned Friend having left out that small portion of Sub-section 3 of Clause 15 which he considered for the moment to be superfluous.

MR. SEXTON said, that, apart from the question raised by his hon. Friend the Member for Galway (Mr. T. P. O'Connor) of the engagement he understood the Secretary of State for the Home Department to have made, he (Mr. Sexton) wished to point out, in a very few words, the sort of new principle raised by the retention of the words dealt with by the Amendment in connection with reference to the remainder of the clause. The general principle of clause was that the tax should be levied on one area, but when they came to the power of exempting "part or parts thereof," that principle was altogether left behind. Instead of proceeding upon the principle of punishing every crime committed, they gave the clause the salient character of vindictiveness and persecution. There was no use in arguing with the Government on the point, because they said that the Lord Lieutenant must have discretion, which meant that he was to be allowed to take action which might be vindictive, and which might tend to persecution. He contended that the retention of these words, as far as their retention would enable the Government to levy upon a part of a townland, would make the power of the clause impracticable, and such as could not be carried out. It had been already pointed out that the total average of rateable value of a townland in Ireland was £225. It had also been pointed out that the smallest levy likely to be made would be £100, and that it would be nearly half of the value of the townland. The tax might be made still more oppressive, because it was impossible that a smaller force than five constables would be quartered in any district, and that would involve the levying of a much larger amount than the actual rent of the townland; and if they went below the townland, and endeavoured to levy the charge for the subsistence of five policemen for a year upon a part of a townland, they would reduce the clause to an absurdity. The people were paying rack rents already, and in those cases in which the Court had not yet been able to adjudicate they would continue to pay rack rents. It would therefore be absolutely impossible to collect a levy of that kind; and, in point of fact, the retention of these words would defeat the two objects the Government said that they had before them in introducing this clause—namely, first, to give compensation; and, secondly, to give a lesson to the people that they must maintain the law.

Mr. O'DONNELL said, that his hon. Friend the Member for Sligo (Mr. Sexton) had reminded the Committee that the Chief Secretary for Ireland was always throwing them back upon the unfettered discretion of the Lord Lieutenant. He (Mr. O'Donnell) could not but regret that that House and the Committee, and the people of Ireland, were to be left to nothing but the unfettered discretion of the Lord Lieutenant, and that the most reasonable Amendments proposed by the Irish Members were to be on this account rejected. If the administration of that law was to be left to the unfettered discretion of the Lord Lieutenant, why had they not brought in a short Bill to enable the Lord Lieutenant for three years to do whatever he liked. That would be a great saving of the time of the House, and the struggle, which they had been told was now approaching, would have been rendered unnecessary. He thought that a very neat Bill might have been constructed, on this principle—"An Act to enable His Excellency the Lord Lieutenant to do whatever he pleases for the next three years." Such a declaration might have been put into the Preamble, in order to show that there was at least one nation left in Europe which Great Britain was not afraid to trample upon. The right hon. Gentleman the Chief Secretary for Ireland said that the object of the Government was to place in the Bill the terms which were required to express the intentions of Parliament. It would, therefore, seem that the Government had already made up their mind what would be the intention of Parliament before the Bill was brought into the House. He was, however, unable to follow that argument in reference to such superfluous provisions. He (Mr. O'Donnell) had been much struck by one of the defences—which seemed to him to be the main ground of defence—put forward by the Chief Secretary for Ireland for the rejection of the Amendment of his hon. Friend the Member for Wexford (Mr. Healy). The right hon. Gentleman said that there was a class of fines regulated and marked out by their Amendment. For instance, there was a small class of fines, which must only be applied to very small districts. In fact, it seemed to be intended that if a fine was very small, it should be only applied to individual houses, because such fine would not be felt over a large district. Now, that was introducing a principle which he thought had never before been made use of, and it was a principle which ought not to commend itself to the Committee. The right hon. Gentleman the Chief Secretary for Ireland, in order to make his meaning clear, quoted this instance. He took a case of compensation to a man to the amount of £20, who might have been severely beaten, and said that it would be nonsense to levy that over a large district, and therefore it must be apportioned over a very limited area. Then the object of the right hon. Gentleman, in this Bill, which was to place Ireland on the side of law and order, was not to obtain compensation for a man who had been injured, but to make the sting of the law felt by some limited number of Irish individuals —no matter who they were, so long as the crop provided was small enough—to be made miserable by the exaction. In fact, the right hon. Gentleman's principles seemed to be in accord with that of the Government, which was not the support of law and order, but the establishment of a raw somewhere. If that was the ground upon which the Government refused to accept the Amendment of his hon. Friend, it was the ground which ought to be rejected by the Committee, and the opposition to the Amendment ought to be rejected at the same time. What could be more unfair—what could be more fundamentally unlawful, whether technically legal or not, than declaring that they were to apportion the compensation, not with a view merely of the amount of injury, and not with a view even to the general amount of lawlessness existing amongst persons who were sympathizing with crime, but with the view of having so small a number of victims affected? But, whether they were innocent or guilty, they should certainly smart from the administration of the law. Let them take the example which had been quoted by the right hon. Gentleman himself. A man had been severely beaten, bruised upon the head, and otherwise seriously wounded, with sticks, &c. It would be on the cards, and, in point of fact, almost absolutely certain, that the man was unpopular throughout the whole of the barony, and that this cruel assault upon him had been committed, so to speak, with the approbation of the whole of the barony. Then the whole of the barony, even in the eyes of the right hon. Gentleman, must be equally guilty, and the fine for compensation for the man's injuries ought to be levied on the whole of the barony. "But, no," said the right hon. Gentleman the Chief Secretary, "if £20, which is the amount of injury the man has sustained, be levied on the whole of the barony, although the whole barony is equally guilty, the punishment would be inappreciable. Therefore, I must make a further division, and select some five or six miserable families and come down upon them, in order that some half-a-dozen Irish Members may smart under the administration of the law." That was an illustration of the way in which the Act would be administered, and which he did not think it required many words to characterize. If they made the operation of the clause too retrospective, if they made the raw smart too keenly and overlooked and confined the surface, they might totally fail in attaining the object which their vindictive conception of the law recommended to them. They had made the area of fines so small as to make life a positive burden out of that restricted area. What was to keep these miserable creatures, overwhelmed with their fines, fastened to that particular area of ground? He would point out to the Government that even with the view to the efficiency of their own law, it would be far better for them to keep a large area, because, after all, the population of a country-side could not desert that large area; but, in the case quoted by his hon. Friend the Member for Sligo (Mr. Sexton), they had imposed upon the townland, or part of a townland, a crushing fine that would be far more than even the crushing laws now exacted from that townland. They might drive the occupiers of a townland, or that portion of the townland, or part of the parish, to quit the place which they had rendered uninhabitable, and then what was to become of their power of exacting fines? He defied them to make up a personal contingent upon the individuals; he defied them to fix it upon persons whom they drove from spot to spot. They would be too poor for any process of the Crown to make them pay the fine. They would drive them to quit the townland; to quit the parish; to quit a miserable roof, a house; the raw they sought to create would be created at the expense of the ground landlord. If they drove the occupiers by their merciless fines from the soil, they would have to go without the fine for compensation altogether. Of course, the object of the Government was to secure the Orange class in Ireland the power of exempting the Orange garrisons which were to be found throughout Ireland. This was a clause which was directed against the mass of Irish individuals. If the Amendment of his hon. Friend the Member for Wexford (Mr. Healy) was rejected, wherever, in any townland, there were persons who were brought out by the local Tory Associations, persons who belonged to the *Clientèle*, and the Estate Office, persons who were under the protection of the Emergency Society, no matter how able they were to bear the burden which fell upon their neighbour, they would be exempted. Two magistrates could always be got, in any part of Ireland, to swear to the goodness and loyalty of any individuals of this class; but, if there was any respectable farmer of the ordinary type of Irishmen, even if a rare magistrate could be found to bear witness to his loyalty, even if the parish priest came forward as to his loyalty and good feeling in the parish, there would be no exemption in his case. Therefore, he (Mr. T. D. Sullivan) thought that it was most desirable that they should deprive the Lord Lieutenant of all power of exemption, because he was satisfied that it was only one class of the population which would be exempted, and that the mass of the nation would go unexempted, and, after all, the cruelty of the clause would be carefully reserved for those individuals who were not protected by the local magistrates. The hon. Member for Sligo (Mr. Sexton) had pointed out that, in reality, they were giving up the principle of area altogether, that they were fining down the town area to such a vanishing point as this—that, in point of fact, they were giving the Lord Lieutenant the power of taxation and of fining individuals; and they were enabling the local magistrates, who were the hereditary enemies of the Irish people, to pick out in every district those individuals who were held to be most obnoxious, and enable them to complete their ruin. On every occasion he would continue to protest against the doctrine of the Government that they should trust to the discretion of the Lord Lieutenant. No doubt, the Lord Lieutenant was a well-intentioned man, like any of the 600 and odd Members of that Legislature. The Lord Lieutenant was an intelligent man, probably as intelligent as any Member of the House; but there were no sufficient guarantees that when the Act had to be enforced in Tipperary, Donegal, or any other county in Ireland, that the Lord Lieutenant, instead of acting on his own judgment, would not be compelled to be guided by the advice of constables and sub-constables, Sub-Inspectors and magistrates; and it was only that class of evidence, and no other, which would suit the views of the local magistrates, that would be forthcoming. He declined to place so extensive a power of terrorism in the hands of local tyrants, and, therefore, should vote for the Amendment.

The CHAIRMAN observed, that the hon. Member had spoken at great length, and in the first part of his speech had kept himself within the Amendment; but he was now going altogether beyond it.

Mr. O'DONNELL, resuming, said, the Amendment of the hon. Member for Wexford (Mr. Healy) was an Amendment for the protection of individuals, because it proposed to deprive the Government of the power of imposing fines on part or parts of "townlands," which would, perhaps, comprise no more than two or three houses. He (Mr. O'Donnell) said that the adoption of the Amendment would provide individuals with a better security than would be afforded by the sham investigation which would take place under the Bill. By retaining the word "townland," the Government placed every individual farmer who made himself obnoxious to the local tyrants entirely at the mercy of his enemies; and to refer Irish Members to the goodwill and intelligence of the Lord Lieutenant, far away in Dublin Castle, who saw and heard entirely by the eyes and ears of local agents, in permanent hostility to the people of Ireland, was simply no guarantee whatever.

Mr. T. D. SULLIVAN said, he rose for the purpose of supporting the Amendment of the hon. Member for Wexford (Mr. Healy). The clause as it stood enabled the Lord Lieutenant to divide and sub-divide even so small an area as an Irish "townland," and the object of the Amendment was to prevent this indefinite sub-division of districts in the clause. Now, in dealing with this question, he (Mr. T. D. Sullivan) proposed to proceed on an entirely contrary principle. He thought it was desirable not to enable the Lord Lieutenant to narrow the area of that fine down, until it fell, perhaps, upon a couple of farms. That principle appeared to him to be highly objectionable; and, for his own part, he preferred the opposite principle of extending the area over which the fine might be levied. For instance, he would rather that the whole of the "townland" were taxed than a portion of it; that a barony should pay, instead of a parish; and instead of a parish, he would very much prefer the whole county. Again, instead of the county, he would prefer that all Ireland should be charged; and instead of Ireland being charged he would prefer very much that Great Britain should be made to pay; because he laid the blame of all the trouble which existed in Ireland upon the misconduct of the British Government. What was the object of allowing the Lord Lieutenant to divide and sub-divide the smallest area that might be proclaimed under this Bill? Was it to enable him to exempt favourites and certain persons, and to bring the whole crushing severity of the clause down upon the heads of a few persons? He contended that the persons who would be exempted by this power of division and sub-division were, in many cases, the very people who, above all others, ought to bear the charge; and the way he proved it was this. The increased police force which would be sent into the district would be sent there because of the apprehensions of crime and disturbance, or because of the actual existence of crime and disturbance. Now, he asked, what class of men was there in Ireland more capable of creating disturbance in these districts, parishes, townlands, and counties of Ireland than the Irish landlords, with their land agents and bailiffs, as well as the other agents of the present system of landlordism. Every one of those men would, under the clause as it stood, be assuredly exempted by the Lord Lieutenant from the scope of this measure. There was no class of men in Ireland who, as was perfectly well known, had done so much to create terror, disorganization, disturbance, and crime as rack-renting and merciless landlords. [" Oh, oh!"] Hon. Members cried "Oh!" but would it be argued that there were no such persons in Ireland as rack-renting landlords—landlords who had exacted unjust rents, and had been carrying out unjust evictions?

The CHAIRMAN said, that the hon. Member must not discuss the whole question of rent in Ireland upon this Amendment.

Mr. T. D. SULLIVAN said, he had not the slightest intention of discussing that question; but he was arguing that the use which the Lord Lieutenant would be enabled to make of this power of subdivision of townlands would be to bring the levying of this fine for the increase of the Constabulary down upon the Irish tenants, to the exclusion of Irish landlords. He was arguing that the very men who ought to bear the charge were the landlords, their agents, and their sub-agents. He considered this argument to be a very reasonable one as applied to the Amendment before the Committee. He was not going into the question of the conduct of the landlords; but he thought he might be permitted to point out that the greatest originators of disturbance in Ireland ought not to be exempted from the payment of the fine in question. [" Order, order!"]

Mr. MAGNIAC rose to Order. The principle of exemption had been sanctioned by Clause 15, and he submitted that the hon. Member was not right in again discussing it.

The CHAIRMAN said, he had understood the hon. Member for Westmeath (Mr. T. D. Sullivan) to be arguing that the originators of the disturbances in Ireland would, unless the Amendment were adopted, be exempted from the payment of fines. So far the hon. Member was not out of Order; but he (the Chairman) was obliged to watch the length to which that argument might be carried.

Mr. T. D. SULLIVAN said, under the supervision of the Chairman, he should do his best to confine his arguments to the question before the Committee. He certainly endeavoured to avoid placing himself out of Order, and although he might not always have been successful in that direction, he had always endeavoured to keep within the limits of the rules of debate in Committee. The Lord Lieutenant would be enabled under the clause, as he had already pointed out, to sub-divide even the small area of a townland. Let the Committee suppose the case of a proclaimed district which included not one, but several townlands. Supposing a landlord to be murdered there; he contended that the Lord Lieutenant would assuredly exempt the property of the landlord, his agents, and sub-agents throughout the whole district; and although the trouble in that district might have arisen from the hardships and injustice inflicted on the unfortunate tenantry, the framers and originators of that trouble would escape scot free, and the unhappy victims would be still further victimized by this measure. But it was said that the Lord Lieutenant would carefully scrutinize these matters, in order to see that no injustice was done. Irish Members had been told over and over again, in the course of the discussions upon this Bill, that everything was to be subject to the will and pleasure of His Excellency the Lord Lieutenant, and it was not absolutely unreasonable to expect that before long a measure would be passed by that House to the effect that for three years no one should be born, married, or allowed to die in Ireland without the gracious permission of His Excellency.

THE CHAIRMAN said, the hon. Member for Westmeath (Mr T. D. Sullivan) was going altogether beyond the question. It was his (the Chairman's) duty to ask him to keep strictly to the Amendment before the Committee. That was the second time he had warned the hon. Member.

MR. T. D. SULLIVAN said, his observations were merely in illustration of his contention that, under this clause, the Lord Lieutenant would be able to impose a fine upon whomsoever he pleased. Notwithstanding the expectations which had been held out of an improved condition of things being created in Ireland when the present Bill came into operation, they would still be met with the principle of reasonable suspicion. ["Order, order!"]

THE CHAIRMAN said, he did not think the hon. Member for Westmeath (Mr. T. D. Sullivan) was intentionally disregarding the authority of the Chair; but he must point out to him that he was going altogether beyond the Amendment before the Committee.

MR. T. D. SULLIVAN said, that, in that case, he would conclude his observations by explaining that he was arguing that the Lord Lieutenant, in exercising the power conferred upon him by this clause of imposing fines upon districts which, however small, would be acting upon the principle of reasonable suspicion.

MR. LEAMY said, as the Government appeared to have made up their minds to reject the Amendment of the hon. Member for Wexford (Mr. Healy), he would ask the right hon. Gentleman the Chief Secretary for Ireland, whether he intended to move the Amendment standing in the name of the Secretary of State for the Home Department; because, if the Amendment before the Committee were not agreed to, the Amendment of the right hon. and learned Gentleman would be altogether unnecessary. Hon. Members who were inclined to support the Government in opposing the omission of these words would see, if they looked to Sub-section 2 of the clause, that the charges for the extra police and compensation were to be—

> "Applotted rateably upon all rateable hereditaments in the district, and shall be payable by the owners thereof."

Was it the intention of the Secretary of State for the Home Department to take power to enable the Lord Lieutenant to exempt certain of these hereditaments; because, if so, it would be in the power of the Lord Lieutenant to do what his (Mr. Leamy's) hon. Friends had said he would be forced to do by his Advisers in certain districts—namely, to impose this charge, by way of penalty, upon individuals, and not so much by way of penalties on the district. This would seem to be another of those attacks upon Constitutional principles with which the House had become familiar since the Liberal Government had occupied the Treasury Bench. Last year they claimed the right of imprisoning men upon suspicion, and they contended that that was done by way of detention, and not by way of punishment. Now, the proposal was to bring down the entire fines leviable under this Bill upon the head of one or a few individuals. It was that power which the Amendment before the Committee proposed to limit. If you give to the Lord Lieutenant the power to impose the charge upon two or three individuals in the district, as would unquestionably be the case, if he were allowed to impose the charge upon a "townland" where the average number of houses was not more than nine, and of which he might exempt eight, it followed that you gave him the power to compel single individuals to pay the whole tax levied by way of compensation, and for the extra police. He would go further, and say, if it were actually within the knowledge of the Lord Lieutenant that there was one man in a townland who was really responsible for the disturbed condition of that townland, or who was a person who promoted any outrage there, in consequence of which compensation might be claimed, it would, of course, be unfair on the part of the Lord Lieutenant to compel the seven or eight other inhabitants in the townland to pay for compensation rendered necessary by the action of that particular individual. Therefore, it would come to pass that the action of the Lord Lieutenant must rest upon suspicion. If the Government refused to limit the power of the Lord Lieutenant to exempt certain persons, were they to understand that he was to exercise that power of his mere will, and without any reference to the facts of the case—that the persons in the townland were entirely disconnected with the crime, or were the persons who suffered from the crime? The Lord Lieutenant must, of course, exercise his judgment; and it would result that he might impose a fine on people who were perfectly innocent, and, consequently, he would be acting, as he said before, upon suspicion. He wished the Committee to understand that last year the Government imprisoned on suspicion, and that now they were fining on suspicion. The hon. Member for Wexford (Mr. Healy) had pointed out that if the Government really intended to stand by their words, they might as well have consented to the Amendment which they had opposed; and he (Mr. Leamy) affirmed that if the Government now proposed to retain the words, there was no necessity whatever for the appearance of the Amendment of the right hon. and learned Gentleman the Secretary of State for the Home Department on the Notice Paper. The Committee were placed in a position of some difficulty, owing to the absence of the Secretary of State for the Home Department. He supposed, even if the present Amendment met with the acceptance of Her Majesty's Government, and the Amendment of the Secretary of State for the Home Department were forced upon the Committee, that they would have just as much power as they had now without it. If the right hon. Gentleman the Chief Secretary for Ireland would only carefully examine these words and the Amendment standing in the name of the Secretary of State for the Home Department, and fully estimate the power to be left to the Lord Lieutenant, he (Mr. Leamy) could not help thinking that the right hon. Gentleman would at once agree to the Amendment of the hon. Member for Wexford. The great difficulty of Irish Members was that the Government would scarcely listen to the Amendments which came from them of a reasonable character. Even when they did accept one of their Amendments, it was very much the same; for the Government, having made up their minds that all proposals coming from those Benches were unreasonable, still left everything to the discretion of the Lord Lieutenant. They had heard from the Secretary of State for the Home Department that the object of the Government was that the clause should have elasticity; and the way they secured that object was by rejecting the Amendments of Irish Members. But he (Mr. Leamy) had always understood that penal Statutes should be interpreted very strictly; but the penal Statute they were now being asked to pass was of such a kind that it might be made to embrace within its provisions everything that the Executive Government in Ireland wished. It gave power to the Lord Lieutenant both to punish individuals and to impose a penalty on a whole district. He did not know, if these words were retained, and the right hon. Gentleman the Chief Secretary for Ireland refused to accept any compromise, whether he intended to move the Amendment in the name of the Secretary of State for the Home Department; but, if so, he (Mr. Leamy) should be glad to be informed what was the difference between the power which he would have under the clause and the power which he would receive supposing the Amendment of the Secretary of State for the Home Department were agreed to.

MR. BIGGAR said, it appeared to him that the Government were doing the very thing for which they blamed Irish Members. Their policy seemed to be to waste as much time as possible. Had they adopted a different course, he believed that the Bill would have passed several days ago. His own experience of the conduct of the Government during the time the Bill had been in Committee was that they had agreed to those Amendments only which were of minor importance, and resisted all those that were of great importance, however reasonable in their nature.

THE CHAIRMAN pointed out that the policy of the Government was not the Question before the Committee.

MR. BIGGAR said, he was aware of that; but his intention was to show that the Amendment before the Committee was of so reasonable a nature that it ought to have been accepted by the Government; and, further, that its acceptance would have resulted in a great saving of time. He should be sorry to infringe the Rules of Committee by going beyond the strict limits of discussion. As the clause stood, it was clear that two or three persons in a district might be made liable for a large sum of money, although, having no *locus standi* before the Commission that would investigate the claims, they would have no opportunity of saying anything in their own defence. Thus a number of people, who might be able to prove that they were perfectly innocent, might become liable for the payment of a heavy tax, without having any opportunity afforded them of making clear their innocence. They knew, with regard to the charge for extra police, that there was no means of appealing to the Lord Lieutenant in a legitimate way. Everything must be done by communications through deputations, or in some other of the peculiar ways of bringing pressure to bear upon the Irish Executive. And the same remarks applied to the charge for compensation for alleged outrages that would be levied upon the unfortunate people he had referred to as having no opportunity afforded them of saying anything in their own defence. The result of this would be that many questions would have to be asked in that House, as was the case in connection with the "suspects" detained in prison, and difficulties would arise with regard to these fines of a similar character to those which had heaped themselves upon the head of the late Chief Secretary for Ireland. In view of the many difficulties which he (Mr. Biggar) could foresee as resulting from the operation of the clause in its present form, he recommended the Government to agree to the Amendment of the hon. Member for Wexford (Mr. Healy). If that Amendment were not adopted, the result must be an endless amount of trouble to the Chief Secretary for Ireland, and a considerable waste of time during future Sessions of Parliament. He repeated, that many questions would be asked which, if the replies were unsatisfactory, would be followed by Motions for Adjournment, Votes of Censure, and Motions for Returns—in short, all sorts of difficulties would arise if the clause were forced through the Committee in its present form. The Government ought, in dealing with Ireland in its present condition, to have brought in a Bill which could be administered impartially, and which did not place undue responsibility on the Lord Lieutenant; but, instead of that, Parliament was called on to pass a Bill which gave a tremendous amount of room for dishonesty on the part of officials. It appeared to him that the Government were acting injudiciously with regard to the present Session, and contrary to their own interests in the next Session—if they should then be in Office.

Mr. GILL said, Irish Members were contending against the power of subdividing the ridiculously small area of a townland or parish. If that power remained in the clause, it would be a temptation to interested persons to recommend the Lord Lieutenant to levy the fine upon those areas; but if the principle of sub-division were not applied to parishes or townlands, no one, he might say, would have the impudence to make such a recommendation. He suggested to the right hon. Gentleman the Chief Secretary for Ireland a compromise, which would in no way weaken the effect of the clause—namely, to leave out the words "townland or parish or part or parts thereof respectively," and to substitute for them, "any part or parts of a county."

The CHAIRMAN said, the Committee had already agreed that the words "townland or parish" stand part of the clause. The question was as to whether the words "or part or parts thereof respectively" should be struck out.

Question put.

The Committee *divided:*—Ayes 206; Noes 35: Majority 171.—(Div. List, No. 200.) [6.35 p.m.

The CHAIRMAN said, an Amendment had been handed to him by the hon. Member for Dungarvan (Mr. O'Donnell) limiting the application of the clause to townlands containing not less than 100 unexempted occupiers. As that was simply a repetition of an Amendment against which the Committee had already decided, it could not be put.

Mr. O'DONNELL said, there were many townlands in Ireland which contained a large number of inhabitants, and the object of his Amendment was to limit the application of the clause to townlands of that class. There was nothing in the Bill, as yet passed by the Committee, to extend the operation of the police and compensation clauses to the smaller townlands alone; and, therefore, he submitted that the Amendment might be put.

The CHAIRMAN said, the Committee had already decided against an Amendment as to which the hon. Member's proposal was simply a repetition.

MR. O'DONNELL: I rise to a point of Order.

THE CHAIRMAN: The point of Order is already settled.

MR. O'DONNELL: Can I move a Proviso?

THE CHAIRMAN: Not contradictory of what has been already passed by the Committee.

MR. O'DONNELL: Will you allow me to move to limit the application of the clause to townlands of not less than five unexempted occupiers?

THE CHAIRMAN: The Committee have already decided that any townland, whatever its size may be, shall come within the operation of the Bill, and nothing contrary to that can now be put.

Amendment proposed,

In page 8, line 37, after the word "district," insert "other than those exempted by the Lord Lieutenant in pursuance of this Act."—(*Mr. Trevelyan.*)

Question proposed, "That those words be there inserted."

MR. HEALY said, he understood, a few minutes ago, that when this Amendment was reached, the Chief Secretary for Ireland would be prepared to make a statement as to the reasons which induced the Government to propose the addition of these words. The Government, after giving the Lord Lieutenant power to applot these charges upon any county, barony, townland, or parish, or part or parts thereof respectively, now proposed to give an additional power of exemption. He (Mr. Healy) ventured to say that, under the circumstances, the words of the Amendment just moved were entirely superfluous, and he should vote against them.

MR. MARUM said, he had taken exception to the 15th clause, seeing that under it the charge could be made on the entire district; and he had asked, in view of the power of exemption given to the Lord Lieutenant in the last subsection, what would become of the claim between the exempted and non-exempted portions. The Secretary of State for the Home Department said he would put down this Amendment to carry out, in logical sequence, the words of the 15th clause. He objected at the time, and still objected to that clause; but he would point out that the Amendment merely carried out the intention of the clause.

MR. TREVELYAN said, the hon. Member for Wexford (Mr. Healy) was right in challenging him to an explanation of the meaning of the words in Subsection 3, Clause 15. It might be doubtful in the minds of some whether or not the whole of the charge could be levied on the district; and, in order to make this quite certain, the present words were proposed to be introduced in the 2nd sub-section of the clause under notice.

MR. BIGGAR said, it seemed to him that the explanation of the right hon. Gentleman the Chief Secretary for Ireland made the matter rather worse than it was before. The Government, first of all, proposed to levy a certain charge upon the unfortunate ratepayers of a district, and then they said, "We will exempt certain persons in that district." By that course they were favouring the most deadly enemies of order and the most dangerous class in the Irish community. He (Mr. Biggar) said that advisedly, knowing, as he did, a good deal of Irish society. The Government were encouraging a class of dangerous rowdies, who would give them and future Governments an amount of trouble which had never yet been given by any class of agitators in Ireland.

THE CHAIRMAN pointed out that the hon. Member was not speaking to the Amendment.

MR. SYNAN said, he was obtuse enough not to see the necessity of introducing the words of the Amendment into the clause. There was a necessity for the exemption in Clause 15, because, by the Amendment there adopted, the Committee shut out the power of distributing the district into parts: But, in this clause, power was taken to cut up the district into parts; and, that being so, what was the necessity for the Amendment unless the Government wanted to exempt the parts they had cut up?

THE ATTORNEY GENERAL (Sir HENRY JAMES) hoped the hon. Member for Limerick (Mr. Synan) would excuse him for saying that he (the Attorney General) did not understand his argument. The Amendment was necessary to carry out the 15th clause in its present form. It was absolutely essential to the working of the clause. The Committee would see that by Clause 15 the Lord Lieutenant might exempt from charge any specified portion of the area declared to be chargeable; whereas, unless the words of the Amendment were introduced, the 2nd sub-section of the clause under notice would say—

> "Any charge in respect of such additional constabulary, or any sum for such compensation as aforesaid, which is for the time being a charge payable by any district shall be applotted rateably upon all rateable hereditaments in the district;"

and it would be clear that you could not give effect to the 3rd sub-section of Clause 15. The Committee could not go back on that part of the Bill; and, therefore, as had been suggested by the hon. Member for Kilkenny (Mr. Marum), the Secretary of State for the Home Department proposed to insert the words contained in his Amendment.

Dr. COMMINS said, the Amendment before the Committee did not at all carry out the idea of the hon. Member for Wexford (Mr. Healy). The clause provided that a district might be made up in such a way that the Act would apply to any part or parts of a townland, parish, barony, or county; and then it went on to say in Sub-section (2) that—

> "Any charge in respect of such additional constabulary, or any sum for such compensation as aforesaid, which is for the time being a charge payable by any district shall be applotted rateably upon all rateable hereditaments in the district, and shall be payable by the occupiers thereof."

Now, the Government proposed to add words to give the Lord Lieutenant power to exempt any district. But that was entirely inconsistent with the suggestion of the hon. Member for Wexford, and it was, moreover, inconsistent with what the Government had given the Committee to understand to be their object proposing the Amendment.

And it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Amendment proposed,

> In page 8, line 37, after the word "district," to insert the words "other than those exempted by the Lord Lieutenant in pursuance of this Act."—(*Mr. Trevelyan.*)

Question proposed, "That those words be there inserted."

The Attorney General

Dr. COMMINS said, he thought the Amendment would fail to carry out the object of the right hon. and learned Gentleman, because power was already reserved to make an inclosure upon an imaginary line, including all the rateable hereditaments liable to be rated in order to pay these charges. That being so, the addition of these words would throw the clause into confusion, and therefore would be useless. The Bill provided that—

> "Rateable hereditaments other than those exempted by the Lord Lieutenant in pursuance of this Act,"

and that meant that the Lord Lieutenant should have power to exempt individuals within a circumscribed district. If that power was not already given, the Amendment would not carry out the object of excluding those which were already excluded by the imaginary line which might cut up a district, or townland, or barony. The natural construction of the clause with this Amendment would be that, in addition to the exclusion implied by the drawing of this line, there was also a power to exclude hereditaments within the line—a power of favouritism. If particular individuals were exempted by that construction, individuals in the district would be reserved, and the power would be exercised, because certain individuals in the district would undoubtedly bring pressure to bear on the Lord Lieutenant to obtain exemption. For instance, a landlord having a residence in a district, and desiring to be protected, would at once claim exemption under this section; and if he did, the very fact of his being exempted would more than neutralize any good effect the taxation might produce. It would be an additional cause of hatred and jealousy on the part of the people, who would believe that he had been earwigging the authorities at Dublin Castle, and that it was through his intervention that the tax was levied on the district in the first instance, seeing that he was able to get exempted. In that way the people, instead of becoming policemen to protect the landlord as well as themselves, would probably watch him closely, in order to make him leave the district, and would then take means to insure his not returning. It would confer a power of making individual exemptions, which must act mischieviously and contrarily to the entire policy of the Act.

MR. SYNAN asked, what was a district under this section? It was either a parish, or a townland, or a barony, or a county; but for his purpose he would take a parish. Suppose that parish contained 50 holdings, and a part of it was made a district under this clause, 25 holdings might become the district; and suppose there was a charge of £500 upon that district of 25 holdings, the other 25 would be actually exempted. Suppose that 10 of the 25 upon whom the charge was levied were exempted, then a certain proportion of the £500 would have to be given up.

SIR WILLIAM HARCOURT said, this was really renewing a discussion which occupied some hours on the 15th clause. The question was whether there should be a power of exemption or not. He had stated, as clearly as he could, that there was to be a power to charge a district, whether it was large or small. There might be in that district, whether large or small, some necessity for providing additional police, and, as the portion which required the extra police might not be the promoter of crime, but the sufferer from crime, it was proper, therefore, when the district or parish had been defined, that the charge for the extra police should be thrown upon that portion which had caused the necessity. In the first instance, the clause provided that the charge should be on the whole district, with the exception of that portion of the district which was regarded as the sufferer, and not as the promoter of the crime. This Amendment was strictly consequential upon that. The charge was made, for example, upon a barony, of which two-thirds was so disturbed that additional police were required, not only in the two-thirds which caused the disturbance, but in the other one-third, which but for the action of the two-thirds would have been tranquil. What was the justice of such a case? In his opinion, the justice of the case was that while the whole charge was placed on the whole barony, the one-third which was the sufferer by, and not the cause of the mischief, should be exempted from the charge, and the share of that one-third exempted should be charged on the two-thirds, as well as their own proportion. The purpose of this Amendment was simply to carry out that arrangement, and it seemed to him to discuss the matter any further was simply to go back on a discussion which had been already disposed of.

MR. BIGGAR said, if the whole thing was settled by the former Amendment, he did not see the use of bringing in these new words. If the contention of the Home Secretary was correct there was no real necessity for this addition, for the right hon. and learned Gentleman said the whole question was settled some days ago, and therefore it was no use proposing this Amendment. He did not, however, think the Home Secretary had correctly stated the effect of the former provision in the Bill, for, as the right hon. and learned Gentleman said, if there was an exemption the money charged on one part would have to be defrayed by the other portions. He held that it would be necessary to re-cast some of the Bill.

MR. MARUM explained that this Amendment arose from the 15th clause and was logically carrying out that clause.

MR. BYRNE said, he thought that if there was anything fair in the Bill it was that clause which the Home Secretary seemed to desire to omit. The clause seemed to him to be fair, as it provided that any charge for additional Constabulary or for compensation should be charged in proportion to the rateable value. That appeared to be fair, but the Amendment seemed not only bad, but really not an Amendment at all, because if it was fair that any district or county should pay, all parts should pay share and share alike. That principle was acknowledged to be fair in all money transactions, but the clause provided for exemptions by the Lord Lieutenant. The Lord Lieutenant might be able to exempt 19 out of 20 people and throw the whole cost upon the 20th person. He saw no reason why any portion should be exempted from paying its share of the expense.

THE CHAIRMAN: The hon. Member seems to have forgotten that the exemptions are already decided on Clause 15. This is a new point.

MR. BYRNE said, he understood this Amendment was on Clause 17.

THE CHAIRMAN: Clause 17 is merely a clause by which the Lord Lieutenant has power to exempt if he considers it necessary.

Mr. BYRNE said, he was not referring to Clause 15 at all, but only to the provision that the Lord Lieutenant should be empowered to vary the method of levying the charge. He did not find fault with the levying, because that was agreed to; but he was now speaking of the way in which it was sought to levy the charge unfairly on one section of the community in a district. He did not desire to say anything but what he believed to be honest and fair, but this was a very serious matter. If one gentleman had to pay 20-twentieths and the other 19 were exempted, that was distinct favouritism by the Lord Lieutenant. The Lord Lieutenant must depend in the main on the officials for his ground of exemption, and that he considered contrary to the principles of the English Constitution, and he wished to be satisfied upon this Bill in the same manner as if he were discussing an English Bill. The Amendment was unfair, because one man might have to pay the whole charge, and it was also open to abuse.

Mr. LEAMY understood that by Clause 15 the Lord Lieutenant was empowered to exempt any specified portion of an area declared to be chargeable with the police tax. The Amendment of the Home Secretary dealt not only with the police tax, but also with compensation for murder and outrage, and consequently he held that the question whether or not the Lord Lieutenant should have power to exempt was a new question. He intended to oppose the Amendment as a protest against giving the Lord Lieutenant power of exempting any specified district. The Home Secretary had stated that murders were committed by persons not known to the police and brought from a distance. That being so—compensation being conceded—it was unfair for the Lord Lieutenant to exempt a large class from the charge upon the district. He was quite willing to admit that the present Chief Secretary would do his best to insure the charge being levied equitably. But still there was a power to exempt with regard to the police tax. The view taken by right hon. Gentlemen who were lately in Office in Ireland was perfectly well-known, and they might be in Office again before this Bill expired, and knowing that the Lord Lieutenant must depend altogether on persons acquainted with the localities, this power of exemption might be unfairly applied. It was on that account that he and his hon. Friends opposed exemption with regard to the police tax.

Mr. O'DONNELL denied that this Amendment was consequential to Clause 15. It was not consequential, and it was not even an extension of the principle of that clause. It was the establishment of a new power relating to an entirely new and different class of acts. The Home Secretary had argued that two-thirds of a district might be disturbed, and that it was only fair that the remaining third should be exempted from the charge for police necessitated by the disturbed parts of the district. There was no difficulty at all about the fact when there was a disturbance in two-thirds of a district and not in the remaining third, and if the Lord Lieutenant made a mistake he would be corrected by the entire neighbourhood. In this clause the Government proposed an extension to which he strongly objected. A crime might have been committed, and whether the offender had been detected or not the district was liable for compensation. He could understand that innocent and guilty alike should be liable for that compensation, for if a charge was being levied in a neighbourhood in which certain persons were reasonably suspected the whole district must suffer. Therefore, if there was to be this general justice or injustice done, it should be done equally all round; if a portion of an area was found guilty, let the whole area suffer for it. But when the Committee was asked to give special facilities for carrying out the theory of the Government, that the Lord Lieutenant might select individuals and exempt them from the payment of compensation, that was enabling the Lord Lieutenant to pass an opinion, not upon compensation, upon which there could be no mistake, but upon the internal dispositions and consciences of certain individuals, about whom he knew no more than he did about private persons in any other country. There was enormous difference between Clause 15, which dealt with open disturbance, and fictitious facts, which it was admitted would be created by this present clause, enabling the Lord Lieutenant to say such and such a man were loyal, and ought to be exempted, and such and such men, not being loyal, ought not to be exempted. Clause 15 was a clause which might be legitimately defended, but Clause 17 was not. How could any man in that House know the disposition of a man in another part of the House? Yet hon. Members had as much opportunity of understanding the inclinations of others as the Lord Lieutenant had with regard to persons in a particular district. He, therefore, objected to providing machinery for carrying out a judgment formed by the Lord Lieutenant 100 miles away as to the loyal or disloyal state of mind of poor farmers. That proposal was importing into the clause the most hateful characteristics. This Bill professed to substitute a guarantee of facts and proofs for the suspicion which previously existed, and therefore he had a right to object to the objectionable principle of suspicion being foisted into the Bill by this clause. If the Lord Lieutenant exempted a man from payment, he could only exempt him because he had a high opinion of his disposition, and could only make that man's neighbours pay because he suspected them. That was a principle of fining upon suspicion and on principle. He protested against the Amendment, because it was calculated to facilitate the working of an unfair and unjust principle. That was his theoretical objection to the Amendment, knowing the state of Ireland as he did, and knowing how this power had worked in times past, and how it might be worked in the future, and knowing the agents whom the Lord Lieutenant must depend upon. He protested against this power of creating a privileged class in Ireland from the point of view of the prevention of crime. He warned the Government that they were offering temptations to crime, and to the creation of false reports of crime, by introducing this theory of exemption in connection with compensation. Any man who wanted to make sure of an exemption might pretend that he had been fired at, or that some other outrage had been committed upon him. Scores of cases of that kind had occurred during the last 18 months in which fictitious maimings and mutilations of cattle were reported. There were at present three or four men in prison waiting trial on charges of pretending that graves had been dug, and their lives threatened. Men would do that sort of thing in order to appear to be worthy persons, and so they would get off scot free, and be put on the privileged list of Dublin Castle if the Government carried out this theory.

MR. T. D. SULLIVAN also opposed the Amendment. The effect of it, he said, was to enable the Lord Lieutenant to concentrate the taxes of a district upon a certain holding, or a certain individual. When the Home Secretary wished to get legislation against strangers into the Bill, he alleged that most of the crimes were done by strangers from a distance, and upon that representation he obtained the legislation he desired, so that his point was gained; but now he had apparently forgotten all about the strangers, and wanted to make a small district and a few individuals, or even a single individual, responsible for deeds perpetrated by strangers. It might be said that, although strangers were imported into these districts to commit crime, yet they were imported and paid by the districts. That might be said, but there was no evidence or proof in support of the statement, and there was good reason to suppose that the contrary was the fact.

THE CHAIRMAN: I do not see that the hon. Member is speaking at all to the Question.

MR. T. D. SULLIVAN said, he was going to argue that the responsibility for these deeds ought not to rest upon individuals, or upon small districts.

THE CHAIRMAN: This is not a question of levying on a district; that was settled long ago. It is simply a question whether a certain power shall be put into the clause which is already given in Clause 15, enabling the Lord Lieutenant to exempt certain persons.

MR. T. D. SULLIVAN said, he only wished to say that his idea was that the whole question of exemption was raised by this Amendment.

SIR WILLIAM HARCOURT rose to Order, and said, he was, he believed, correct in saying that the question of exemption was decided by the 15th clause, and the only question here was as to the fund which was to pay for the exempted parts. If a lump sum was raised on the whole district, and a certain portion of the district was exempted from the whole payment, somebody else must bear the charge which otherwise would have been borne by the exempted portions, and the only question was, who was to bear that charge? That was the distinct and sole question. Originally he had struck out certain words in Clause 15 to meet the views of hon. Members opposite, and if he had not done so this Amendment would not have been necessary. This Amendment was really consequential to that clause through the words he struck out—namely, "any portion of the district which the Lord Lieutenant may order." Those words having been struck out, it was necessary to provide for the money not paid by the exempted persons. Who was that charge to fall upon? It must fall on the portion of the district not exempted, and this Amendment was, as he had said, only consequential on Clause 15, in consequence of his having omitted the words referred to.

Mr. LEAMY observed, that the Home Secretary had said that he rose to Order.

Sir WILLIAM HARCOURT said, he had risen to Order, and he must say that the discussion for the last half-hour was on a question of which, he thought, hon. Members did not understand the bearings.

Mr. O'KELLY said, he thought the Amendment dealt with the whole question of exemption, because it raised the question of individual exemptions.

The CHAIRMAN: The exemption is already provided for in Clause 15.

Mr. T. D. SULLIVAN asked whether this Amendment did not provide that the tax should fall upon some persons within the district; and said, if that was so, he should argue that it ought not to be so. That was the argument he wished to make clear.

Sir WILLIAM HARCOURT again rose to Order, and said this clause did not determine that question at all. Clause 15 had determined that the charge should fall on the districts, and this clause only determined how it should be applotted. The question as to whether the charge was to fall on the district was settled already.

Mr. T. D. SULLIVAN said, that this was a question of applotment within the prescribed district. Did not that mean the exemption of certain persons?

Sir WILLIAM HARCOURT: No.

Mr. T. D. SULLIVAN argued that this was a question of applotment, and, in all probability, it would do great injustice if, as had been alleged, the crimes were not only the work of strangers, but of secret societies. The secret society, if it existed, might have head-quarters in London, Paris, Dublin, New York, or Liverpool.

The CHAIRMAN: The hon. Gentleman must keep strictly to the Amendment, and not go over the whole Bill.

Mr. T. D. SULLIVAN said, he thought he was keeping strictly to the Amendment, and all he desired was that the Committee should clearly understand his view on this matter. He wished to argue that these deeds, being, as alleged by the Government, the work in many cases of secret societies, it was possible that a whole district might be innocent of any complicity with the crime for which it was to be taxed.

The CHAIRMAN: The hon. Gentleman must see that he is now discussing the question of districts, which has been settled long ago. That is not the question at all.

Mr. T. D. SULLIVAN added, that he simply meant to refer to such portions of a district as were to be made the subject of an applotment.

Mr. BIGGAR said, he thought there seemed to be some confusion upon this matter. The discussion raised two questions. It was settled by Clause 15 that, in the first instance, a sum of money should be levied on a particular district, which the ratepayers should pay in proportion to their rateable valuation. Then another issue came in—namely, an issue of exemption. One or more holdings in the particular district were, in the first instance, exempted from the payment of any tax; and then came an issue raised by this Amendment; how was the money from which those holdings were exempted to be provided? He submitted that that gave an opportunity of raising the whole question as to why the districts should be taxed.

The CHAIRMAN: I have already ruled that the general question is settled by Clause 15, and cannot be discussed upon this Amendment.

Mr. BIGGAR said, he did not wish to raise that question; but he was referring to the people who would have to pay the charge from which certain other persons were exempted. It seemed to him perfectly unreasonable that those unfortunate persons should have to pay twice over for injuries with which it was possible they had nothing to do. In the first instance, a certain fixed sum was imposed upon them; but now it was proposed, without any further reason, that they should be made to pay a second sum, because certain other persons were exempted. Under conditions of this kind, the proper thing would be to pay for those exempted out of the general taxation of the country.

Question put.

The Committee *divided*:—Ayes 98; Noes 29: Majority 69.—(Div. List, No. 201.) [10.0 P.M.

MR. HEALY moved to exempt cottier tenants rated under £4 from the operation of this clause. He did not think the Government could expect these miserable cottiers, who had the greatest possible difficulty to eke out an existence, to pay this extra taxation. Even the sum of 10*s*. would represent the difference between misery and comfort with these people. The object of the Bill, as he understood it, was to put down crime and aid in the pacification of the country. How could the Government expect to pacify the country by exasperating still further these unfortunate cottier tenants? He supposed there were 70,000 or 80,000 tenants in Ireland rated under £4, and surely it could not be said that these were men who would, as a rule, take part in crime. Many of them had not even a gun, and the Government alleged that the crimes now committed in Ireland were committed by strangers, and not by persons living in the district. How could cottier tenants rated under £4 a-year get the money to import strangers from elsewhere to commit these murders? A man rated under £4 or £5 a-year had land of four or five acres. He lived chiefly upon potatoes, he did not get meat, even on Christmas Day; and his family generally occupied a cottage which consisted of one room only. To place such a tax upon such men would work the greatest injustice. If this tax were proposed in Bulgaria, that House would resound with protestations against the actions of the Bashi-Bazouks who were grinding down the unfortunate people. He would tell the Government that the people of Ireland, no doubt, like the Bulgarians, had human souls to feel and bodies to suffer.

Amendment proposed,

In page 8, line 37, after the word "and," to insert the words "when the annual valuation of the premises rated shall exceed four pounds."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, this was another example of Amendments which clearly could have no other object but to defeat the clause. These clauses were intended to give a pecuniary interest in the district to aid in the detection of crime, and then it was proposed to exempt a whole class of people who might be, some of them, the very persons whom they would wish to bring this pressure to bear upon. The hon. Gentleman had said that people rated under £4 could not buy guns. Unfortunately, it was known that in these days it was the business of some men to supply other people with guns. The hon. Member had said that these cottier tenants had not the money to import strangers into the district to commit crimes. No; strangers were imported at their own expense; but there were people who covered those strangers, and who enabled them to commit crime with impunity. It was against this immunity of crime that these clauses were directed. This Amendment would entirely defeat the object of the clause, and therefore he could not accept it.

MR. HEALY said, the right hon. and learned Gentleman had stated that the object of the clause was to give the people of the district a pecuniary interest to aid in the detection of crime. He wished the right hon. and learned Gentleman would stick to that statement, but unfortunately he would not; because when they were arguing other clauses they found that whether crime were detected or not the people were to be punished. When it was yesterday suggested that where crime had been detected people should be exempted from this charge, the right hon. and learned Gentleman rejected the proposal with scorn. There was not an Amendment which was proposed that the Home Secretary had not a different argument for, and every argument was inconsistent with the one that had been used previously. Of course, it was not the business of the Committee to consider the arguments of the right hon. and learned Gentleman; the Committee was now downstairs in the Smoking Room.

THE CHAIRMAN said, the hon. Gentleman must speak to the Amendment.

MR. HEALY said, he was pointing out why the Amendments proposed by himself and his hon. Friends were not accepted. With regard to the statement that persons could not buy guns, the right hon. and learned Gentleman had said there were persons who supplied them. If there were, had the Government not got a clause to give the police a day and night search, and if strangers came into the country was there not an Alien Act? The Home Secretary told them that strangers came into the district at their own expense. Was there not a clause providing that anybody found in the district during the day could be seized and bound over to keep the peace; and anybody found in the district at night could be seized by a police official and sent to prison for a considerable time? These were the arguments of the Home Secretary, and he (Mr. Healy) had shown the Committee that such arguments rested upon no foundation whatever. It was unjust and unreasonable to expect these cottier tenants to pay this blood tax, which would be as useless as it was infamous.

MR. O'SULLIVAN heartily supported the Amendment, but he thought his hon. Friend (Mr. Healy) had overlooked a very strong point. In the Poor Law Act it was provided that no occupier rated under £4 should pay the poor rate. Such occupiers were not expected to pay poor rates or any improvement tax. It was certainly most unfair that they should be asked to pay towards the compensation, as it might turn out to be, of some very rich man. Why should the Committee not follow such a precedent as the Poor Law Act? That House and the country were very fond of precedent. It was well known that in some of the houses valued under £4 the people were themselves paupers. He knew of cases where the occupiers were even owners, but so destitute had been their condition that they had not been required to pay poor rates. The right hon. and learned Gentleman had told them that this Amendment could have no other object than to defeat the clause. That was a very strange view to take of the Amendment, which was proposed in order to relieve a class of people who were unable to pay. That was the solid reason for the Amendment. The greater portion of these cottier tenants were paupers, and for that reason his hon. Friend proposed to relieve them of this tax. This was a very humane Amendment, and he should like to hear from some Member of the Government what tangible reason there was for its rejection. It was reasonable, just, and fair, and he hoped that the Government would reconsider the matter and ultimately accept the Amendment.

MR. SEXTON said, the hon. Gentleman (Mr. O'Sullivan) had pointed out that these cottiers were exempt from the imposition of those taxes which had the first claim upon every citizen; they were exempted from the tax for the maintenance of the poor. Why was this? Why had the Legislature mercifully exempted them? It was simply because these poor men, whatever might be thought of the social construction of social life in Ireland, were, indeed, nothing else but what might be called paupers. There were paupers inside the workhouses and there were the paupers outside. The right hon. and learned Gentleman the Home Secretary had talked about giving the people a pecuniary interest in the repression of crime. That argument could only apply to men who might be able to pay the tax. If a tax were imposed on people and they were able to pay it, those people, no doubt, would have a direct interest in the repression of crime, because they would know that unless crime were repressed they would have to continue the payment of the tax. In the case of men who were not able to pay the tax, it was impossible to give them a pecuniary interest in the repression of crime. In fact, the imposition of the tax would only exasperate them in a greater degree than many of them were now exasperated. The hon. Member for Wexford (Mr. Healy) had stated that there were 70,000 or 80,000 cottier tenants in Ireland rated at under £4 a-year. His hon. Friend had certainly not overstated the number. In Ireland there were 50,613 men holding one acre of land, and there were 64,292 men who held between one acre and five, making a total of 114,000, or one-fifth of the total agricultural holders of Ireland. All these holdings were valued at under £4 a-year. What had been the immediate past, and what was the present condition, of these poor creatures? They were people who were lately saved from starvation, partly by the charitable action of this Legislature, and partly by that of the world. This Legislature, by a curious exercise of logic, gave large sums of money to the landlords of Ireland to save these starving tenants; and there were four funds in Dublin—the Mansion House fund, the Land League fund, and two other funds, the objects of which were to save these wretched £4 holders from starvation. Hundreds of thousands of pounds were spent, yet such was the width of the area that this large sum of money was spent in nothing but Indian meal, to give these families one meal a-day. These were the people it was intended to levy this blood tax upon. Some of these people had brought their case before the Land Commission, and they had had their rents reduced by £1 or £2 a-year. Now, it did not want much to see that that reduction was a matter of great consequence to such a miserable class of men. It was a common phrase in this country that, even if these cottier tenants were rid of their rents altogether, and had their land rent free to-morrow, they would not be able to live. The hon. Member for Mid Lincolnshire (Mr. Chaplin) would say, "Send them up the country;" but the right hon. and learned Gentleman the Home Secretary said that, "We know they can't live now, but we will enable them to live still better by adding half as much again to their rent." He (Mr. Sexton) could not regard the future of his country with anything but despair, for nothing was done for Ireland save that which could only be calculated to drive the people to desperation.

MR. NEWDEGATE said, he would just remind hon. Gentlemen from Ireland that this was not a tax, but a penalty. There was great poverty in the Pontifical States; there was great poverty in Roman Catholic countries. He quite agreed that poverty ought to be considered; but in a matter of penalty he could not grant the proposition that poverty covered all sins.

MR. GILL said, the hon. Member for North Warwickshire (Mr. Newdegate) had just said that this was not a tax, but a penalty. It was certainly a very curious importation into modern ethics that people who committed no crime whatever should be punished, as a penalty was certainly something imposed for the commission of crime. The Irish Members were arguing that in a district which was taxed there might be a very large number of perfectly innocent persons who had nothing whatever to do with crime, who knew, in fact, no more about crime than the hon. Gentleman the Member for North Warwickshire himself. By this Amendment, an endeavour was being made to get this tax removed from those who would be utterly incapable of paying it. The Prime Minister had on more than one occasion said evictions were sentences of death to a large number of people. There were no clauses in this unfortunate Bill which would tend more to increase evictions in Ireland than this clause. There were many landlords in Ireland who had estates in different parts of the country. They would assume that on one of these estates there were a large number of poor tenants, and that on the same man's estate 40 or 50 miles away the tenants were of the same description. If one lot of tenants resolved to shoot the landlord they would be very likely to send men to the other estate on which to execute their decree upon him. The people who had concocted the murder would thus escape the tax, while those who could not possibly know anything about the crime would find the tax imposed upon them. If these poor people were unable to pay the tax, or if they were forced to pay it, they would not have money to pay their rents; therefore, they would be at once evicted. As he had said, there was no better plan for forcing evictions, or giving landlords the opportunity of evicting in Ireland, than this very clause, especially if the protection now sought by this Amendment was not given to the very poor tenants. The Committee heard a great deal about the Landlord Association. Would not this clause be a very powerful weapon in the hands of that Association to carry out evictions? As soon as this clause was put into operation, as soon as this tax was levied upon 40 or 50 innocent people in the district, it would give the opportunity to the landlord to evict the people; and, therefore, it would give an opportunity to the Landlords' Association to take up the land, and by that means to carry out their plan, which he (Mr. Gill) and others believed was solely that of evicting wholesale. They all remembered the revelations that had been made with regard to public Companies in England;

the villainies that public Companies would resort to in order to carry out——

The CHAIRMAN said, the hon. Gentleman must not go beyond the Amendment.

Mr. GILL said, he was simply giving an illustration. This Amendment was to exempt certain persons from this police tax, and he was endeavouring to prove—and he thought he was quite justified in doing so—that if this tax were imposed, it would tend to increase, very largely, eviction; and it was on that account that he was arguing in favour of the Amendment. In order to bear out his argument, he wanted to prove that, by means of this Company which had started up recently, there were greater facilities for eviction in regard to these poor cottier tenants.

The CHAIRMAN said, in this illustration the hon. Gentleman was going much beyond the Amendment.

Mr. GILL said, he would say no more except that to these people the tax might amount to considerably more than their rent. The tax would give an enormous opportunity to the exterminators to evict the people from their holdings. With regard to what the Home Secretary said, that these people, although they could not afford to buy arms, were liberally supplied with them by others, he wanted to know what was the use of the Arms Act, which was passed last year, and which was still in operation? That argument of the Home Secretary was a very unfortunate one, for it only proved the perfect inefficiency of the Constabulary Force in Ireland.

The CHAIRMAN said, the hon. Gentleman could only give reasons why tenants rated under £4 a-year should be exempted from this tax. He could not go into the inefficiency, or otherwise, of the Constabulary Force in Ireland.

Mr. GILL said, that if the Chairman ruled against him he would not continue the subject; but he had always thought that in Committee they were able to answer the arguments brought forward by others; and the Home Secretary had certainly adduced the argument which he was attempting to refute.

Mr. DILLON said, he would like to ask the Home Secretary whether he had ever been in houses inhabited by Irish tenants rated under £4 a-year? The right hon. and learned Gentleman had said that he was anxious to give the poor people of Ireland a pecuniary interest in the repression of crime. Was this the way in which the Government proposed to do it? In his opinion the Amendment was in the interest of law and order, for if they levied a fine upon these poor people it would be found that they would refuse to pay it; then, what would be the consequences? An appeal would have to be made to the magistrates; a civil bill would be taken out, and when all that was done, the Government would not be nearer their money, because they would have to seize upon the property of the people. He did not know whether any Members of the Government had ever entered one of these shibbeens; if they had, they would certainly find that common decency would prevent a seizure of the few pieces of furniture they there found. As he had said, the people would refuse to pay the tax, and when the time arrived to levy the tax the district would be reduced to such an exasperated state that it would be found in open revolution against the Government. He defied the Government to levy the tax upon these people. There was only one way in which money could be squeezed out of the poor man rated under £4 a-year, and that was by evicting him out of his holding. If there was power to evict him, he might then get money together; but by a civil bill process it was impossible to get a single penny out of him. They would go to the expense of a civil bill, they would exasperate districts, and they would bring law into contempt, and not a penny would they get. It was for this reason this Amendment was proposed. As he understood it, the Government had no power to evict the people for the non-payment of this tax. Therefore, he wanted to know what was the use of obstinately sticking to the clause? He presumed that the Government would take their Constabulary and their military to compel the people to do what was impossible. They would provoke a resistance to the law, and then the Government would come forward for another Coercion Bill. It was simply impossible for men rated under £4, or even £7, or £8, or £10, to pay such a tax as was now proposed to be levied. He was not drawing on his imagination; but he was simply stating what the history of Ireland clearly showed; and he would only say, in conclusion, that this was the most unfortunate clause of the Bill. The Government would be simply deluged by applications under this clause. If a man had got a blow on the head, or had got an injury, however slight or however serious, he would immediately send in an application for compensation These applications would commence immediately the Bill became law, and civil bill processes would have to be issued wholesale. The Government would simply find themselves absolutely paralyzed, and the whole thing would be turned into ridicule. Their action would increase the discontent of the districts of Ireland, and make the law positively hateful.

DR. COMMINS said, he did not propose to go over the arguments already used, but he would ask the Committee if this provision would be workable? Would it pay?—and that, perhaps, was one of the most pertinent questions that could be asked. He maintained that the clause would neither work nor pay, and the Government would find their anticipations would be completely disappointed. Suppose the ordinary means were adopted for collecting the tax. Those means would be of no avail, and the people would be sent to prison for a week or for a fortnight, or for a month, because they would not pay. The people would have to be supported in prison, so that the Government would be put to considerable loss, a loss which would be represented by a sum much greater than that they would realize by the tax. The Home Secretary had said that the Amendment would defeat the object of the section. What was the object of the section? There were so many interpretations of this and other sections that one was at a loss to know how to meet arguments such as those of the right hon. and learned Gentleman. The argument, however, of the Home Secretary did seem to have some point given to it by the interpretation put upon the clause by the hon. Member for North Warwickshire (Mr. Newdegate). The hon. Gentleman told them that the section was intended to enact penalties. Penalties upon whom? Why, upon people who, in the great majority of cases, must be entirely innocent. The imposition of the tax upon a person who felt he was guiltless would cause the man to revolt in his heart, and to revolt physically, if he could, against the injustice, and against the Government which enforced the tax. What was the complaint made every day? Was it not that the people of Ireland were not in sympathy with the law? How could they be supposed to be?

THE CHAIRMAN: I must point out to the hon. and learned Member that the Amendment before the Committee is to exempt persons rated at £4 and under from the operation of the clause.

DR. COMMINS said, he was sorry if he had wandered from the Amendment. He was pointing out that the majority of the £4 holders would be entirely innocent of the crimes for which this penalty was to be imposed. These men were chiefly labourers, and it was a well-known fact they were not in a position which would be required under this clause. He supposed the tax would be enforced by distraining upon the goods of the unfortunate people, or by imprisoning them. However the law was enforced, it was quite clear the enforcement must produce more harm than good. The people would feel they were treated unjustly, and, instead of looking upon the Government as their protectors, they would regard it as anxious to grind them down in every direction. The poverty of the people was an immense evil, but a greater evil was the alienation of the people from the law. They often heard from the right hon. and learned Gentleman the Home Secretary —indeed, it had become a set argument for him on every question which arose under this Bill—that the people were alienated from the law, and that they sympathized with crime. That being so, why do anything which would increase that great evil, and particularly, why impose this very severe tax? The only effect of the tax must be to increase the poverty of the people, and it must, above all things, be to increase the alienation of the people from the law. He had no hesitation in saying that this clause was a direct violation of the sacred principles which had made England great. One of the oldest principles of the British law was that even a penalty should not be imposed so as to trench upon the means of living of the labourer. Such a principle was embodied in one of the clauses of Magna Charta. The Government might desire to pacify the people of Ireland, but they were proceeding upon a very mistaken path. He should, therefore, oppose the section in its present form, and vote for the Amendment.

Mr. BYRNE desired to support this very just and humane Amendment of his hon. Friend the Member for Wexford (Mr. Healy), and to emphasize the contention of the hon. Member for Limerick (Mr. O'Sullivan). The Amendment sought to exempt the poor persons who were rated at £4 and under from the operation of this clause. Such persons were already exempted from the payment of poor rate. He believed that if it were so ordered that half of this tax should be paid by the landlord and half by the tenant the effect would be a very good one. With regard to the punishment of crime he would say at once that if the guilty persons could be detected it was right they should be brought before a proper tribunal and ordered to pay the penalty of their acts; but he could not admit it was proper to punish the people of a district for the crime a man amongst them committed. Under no circumstances ought the innocent to be punished, and, therefore, he asked the Government to accept the Amendment now under consideration. Following the precedent in the case of the poor rates, people rated under £4 ought to be entirely exempted from this charge, or the charge ought to be wholly met by the landlord.

The CHAIRMAN: There is a subsequent Amendment to that effect.

Mr. BYRNE said, he would keep as closely to the text as he possibly could, for he had every desire to keep in Order. He would point out, in conclusion, that the Government had already introduced into the House an Arrears Bill to assist the unfortunate cottier tenants of Ireland out of their difficulties. Surely they would not add to the difficulties of these poor people by imposing upon them a charge for police.

Mr. O'DONNELL said, his hon. Friend (Mr. Byrne) had certainly called the attention of the Committee to the strange contradiction between insisting upon the imposition of a tax of this kind upon the very poorest class of the population, while actually the House had before it a proposition for helping, by a grant out of the public funds, this very class of people to pay their rents. It was admitted on all hands that the £4 cottier tenants could not even pay their ordinary rents, and yet the Government proposed to make them subject to a tax of this description. The Government ought to accept this Amendment of the Irish Party, because he remembered that only yesterday, when the hon. Member for the County of Galway (Mr. Mitchell Henry) declared that it was not poor people who committed the crimes throughout Ireland, there was no one in the House who gave a more emphatic assent to that statement than the Home Secretary himself. The right hon. and learned Gentleman emphatically applauded the statement that it was not the poor classes of the Irish population who were guilty of crime; and yet, when the hon. Member for Wexford (Mr. Healy) proposed to except these classes from the operation of this clause, the Committee found the Government stating that unless they had the means of imposing these fines upon the very poorest classes of the population they could not rely upon the assistance of the people in the prevention and detection of crime. The Home Secretary appeared to pay respect to his emotions one day, and to carry out the policy of the Cabinet another day; and he was glad to bear testimony that occasionally the right hon. and learned Gentleman's emotions were superior to his policy. ["Oh, oh!"] No doubt the hon. Members who had expressed such impatience in considering the question of the Irish poor were not acquainted with the condition of that poor. The hon. Member for Tipperary (Mr. Dillon) had asked the Committee to consider how the payment of this tax was to be exacted from these poor cottier tenants. Very often the sticks found in the cabins of these people did not deserve the name of furniture, and if they were seized it was not very likely that the Government would be able to realize much upon them; certain it was they would not be used to furnish any Government dwelling. It was impossible to exact the payment of the tax from these people. By attempting to do so the authorities would drive the people to despair, and this very clause, which the Government claimed to be necessary for the prevention and detection of crime, would become a fertile cause of disturbance and crime. These people, whose only crime was to be poor, were to be fined because a crime had been committed in their neighbourhood. A blood tax was to be imposed upon them, though they were no more responsible for the outrages committed in their midst than the inhabitants of the Strand were responsible for the murder of the men whose corpses were found in the Thames. It had been suggested that the worth of the tax could be exacted by seizing the actual holding of the tenant. That would be of no use whatever; for if there was such a thing as a "Boycotted" holding in Ireland, just imagine what amount of "Boycotting" would be resorted to in the case of a farm from which a man had been evicted because he would not or could not pay this blood tax! There was this consideration, which he was not sure had been brought before the notice of the Committee, although it was well worthy of attention—namely, what would be the effect on the status, position, and safety of compensated persons if they made compensation a matter of such unsparing, unscrupulous rigour? Could the persons who received this compensation out of the sweat of the poor be anything but objects of odium to the whole country-side? They would drag out of a miserable village £200 or £300, and give it to persons who, up to the moment of their receiving it, were objects of general sympathy, but who were converted by the gift into objects of detestation. If there was any truth in the contention of the Government that sordid motives were all-powerful with the Irish peasant, then how horribly sordid must be the motive which would stir up the whole country-side against these wretched people who dragged £200 or £300 out of scores of poor families still more wretched than they were? This clause would only result in infinitely worsening the Government of Ireland, and in Her Majesty's Ministers handing over to their Successors an Ireland in a condition of still greater misery than it was at present.

MR. T. D. SULLIVAN said, the Amendment proposed that only poor farmers whose rating was quoted up to £4 should be taxed. How did the poorer tenants live? Hon. Members who represented the majority of the House did not know how, but he would give them some idea. These poor people existed in a wretched condition. They for the most part did not know the luxury of wearing shoes or stockings, but went about barefoot over the stony roads and fields, the women as well as the children, and in many cases the men also. How did these miserable families eke out the rent they paid for their miserable holdings? Crowds of them had to come over to England during the harvest season. Was it to earn a little money to enable them to put clothes on their backs and to feed their families, and to put shoes on their feet? No; but to pay the exorbitant rents demanded for their miserable holdings. Those who lived on the seashore had to eke out their wretched subsistence by going into the water up to their waists and collecting seaweed—they had to spend half their time in the stormy waters gathering weed, and even upon this, in many cases, the landlords imposed a tax. When he said these things some people might be incredulous, but he was within the knowledge of many Irish Members on both sides of the House. Her Majesty's Government were now to come in with another tax upon the peasantry. Hon. Members had heard of the last straw that broke the camel's back. This tax would be the last straw in the case of the poor Irish farmer. A half-crown, even 1*s*., was a large sum to him—how would he pay a fine of 8*s*. or 10*s*? But, speaking here for these poor miserable people, he spoke "to ears that did not hear," he spoke "to hearts that did not feel"—he spoke here the truth on this matter, and he saw smiles spreading over the countenances of hon. Gentlemen who had comfortable homes, and to whom the sacrifice of £50 or £100 was a matter of no consequence. These hon. Members laughed and smiled whilst he was pleading for wretched, hardworking, honest people. Let them do it, he would not trust himself to continue that part of the matter further. This, however, he would say that these poor creatures, for whom he was pleading and whose miseries were laughed at, were of human nature — they were as much of the human race as hon. Members opposite, and it was a part of human nature that injustice and oppression should breed revenge. ["Hear, hear!"] Interruptions of that kind counted for very little. If any hon. Member thought that an ironical "Hear, hear" would prevent him from pleading, even in that hostile Assembly, for the most oppressed class of his countrymen that hon. Member was greatly mistaken. This blood tax would fall with cruel force on the very poorest people of Ireland. It would help to depopulate the country. What were the Government to do when they had to collect their taxes and were face to face with a people who had no money to give them? Would they take the miserable coats from the backs of the people—would they take their miserable sticks of furniture? These things, it would be said, would have no commercial value. Very true; but they might produce a good effect if, when they were seized, they were put on exhibition at South Kensington Museum as showing——

THE CHAIRMAN: I would ask the hon. Member to have some consideration for the time of the Committee, and not to discuss matters of this kind.

MR. T. D. SULLIVAN said, he should be very glad if the Committee would have some consideration for the time of the Irish Members. They felt very much the amount of time they had to spend here arguing—and vainly arguing—these questions. His contention was that these people, who were so circumstanced in the world that their rating only amounted to £4, should be relieved from the incidence of this tax.

MR. BIGGAR said, it seemed to him that the arguments were entirely on one side with regard to this Amendment. He would ask what would be the practical result supposing the Government succeeded in levying this blood tax on these unfortunate people? Why, a great many would have to be sent to the poor-house, not only the ratepayers themselves, but their wives and families also; and in this way a substantial tax would be imposed upon the landlords of the property upon which these persons lived. He did not think the Tories would, if they knew it, like to impose this penalty upon the landlords of Ireland. The amount the landlords would have to pay would be more than all the money which would be drawn from those who were rated at under £4. If they imposed this tax upon poor people who could not afford to pay it, all they would be able to get from a man would be £1 or £2, and the dragging of that from him would drive him and his family into the poor-house, and would cost the Union £25 a-year, half of which, or £12 10*s*., would come out of the pockets of the landlords. It would be a bad thing for the landlord, therefore, to compel the tenants to pay this money—it would be much better for him to pay the amount himself. He (Mr. Biggar) would suggest to the Government that a much better plan than that they proposed, if they wished to punish these poor people, would be to send every man who lived in the district it was proposed to tax, and whose rating was under £4, to prison for so many days with hard labour. He put this before the Government as an alternative scheme. It would be less injurious to the landlords, as it would not prevent them from getting their rents, and would not impose a heavy tax on them for the maintenance of the destitute in the poor-house. If an Amendment of that kind had been proposed and accepted, it would have been much more satisfactory to everyone concerned. As the clause stood, a poor cottier would either be driven to the poor-house or compelled to borrow from an usurer, and the result of the latter operation would be to put a heavy permanent tax upon him and his family for the rest of their lives. These people whose rateable value was below £4 were not rated for the support of the poor, therefore it was absurd to ask them to pay this tax. There should be some argument from the Government against this Amendment, otherwise the Committee should support it.

Question put.

The Committee *divided:*—Ayes 33; Noes 136: Majority 103.—(Div. List, No. 202.) [11.15 P.M.

MR. SYNAN said, he wished to insert, in page 8, line 38, after the word "thereof," the words—

> "And such applotment shall be made by a poundage rate in the same manner as poor rates, and the tenant of any such rateable hereditament shall be entitled to deduct such poundage deduction as he is entitled by the Laws for the Relief of the Poor to make in respect of the rent of such rateable hereditaments."

Her Majesty's Government had refused to exempt paupers from the tax, and this Amendment would test whether or not Her Majesty's Government and the Committee were equally willing to include landlords. This would, he thought, be a pretty good test of the objects of the Bill—it would show whether the measure was a fair and honest one for the purpose of establishing law and order in Ireland, or whether it was to be a partial Bill for the purpose of enforcing a law against one class and not against another. He, for his own part, did not know any class who were more interested in maintaining law and order in Ireland than the landlords, and he should listen with great anxiety to hear what arguments the Government would use in favour of exempting them from taxation under this Bill. His Amendment would divide the new tax between the landlord and tenant just as the Poor Law taxation was divided between them. They had been informed all through the discussions on the clause that it was brought forward with three objects—first, to give compensation to persons who had received injury; secondly, as a preventive—to prevent crime and lay the foundation of law and order in Ireland —and in these two objects he imagined that the landlords were more interested than any other class in the country; and, thirdly, as a punitive Bill for the purpose of punishing, and, by punishing, restoring law and order in Ireland. The question, then, was as to whether the landlords were not as much interested in punishing those who committed outrage as the tenant class, who were equally blameless and harmless as themselves. The tenants would have to pay all the tax unless it could be proved to the satisfaction of the Committee, and to the satisfaction of the people of this Empire, that the majority of the tenants of Ireland did not support crime, and should not be subject to the payment of the whole of the tax. If this were a preventive clause the landlords, if they had any patriotism, should come forward and share the onus with the tenants. Had the Government produced any evidence, or attempted in any way to show that the crimes were committed by the tenant class? On the contrary, they had stated in introducing the Bill that it was not the tenants who committed the crimes, but strangers who were brought from outside, and they had drawn part of their Bill for punishing strangers. If, then, the tenants were innocent of the crimes, why should not the landlords pay equally with them—why should not the landlords be willing to do it? He confessed there was no other conclusion he could draw from the refusal of the Government to accept the Amendment—supposing they did refuse—than that they wished to stigmatize the tenants of Ireland as in combination against the law of the land. What did they do when they passed the 15th clause? They said that a police force was to be imposed on a locality when there was an apprehension of crime. Well, were not the landlords as interested in the protection that would be so afforded, and as interested in the prevention of crime as the tenants, and should they not be equally called upon to pay the extra police tax? Take the 9th clause; were not the landlords equally interested with the tenants in preventing strangers from coming into the localities and committing these crimes? If they were, on what ground could the Home Secretary exempt them from bearing their fair share of taxation under the Bill? It might be said, "The landlords are blameless in this matter;" but it was very hard to say with truth who were blameless. Who was the man to throw the first stone in Ireland? He would give the Committee a case. Supposing that rack rents on a particular estate led to crime, and supposing that the crime spread from that locality over the whole of a county, were not the landlords more to be blamed than the tenants? Certainly they were. If, therefore, the landlords were not blameless, if they were equally to be blamed with the tenants, on what ground could the Home Secretary say that they should be exempted from paying their share of taxation? To refuse this Amendment was to say that the landlords of Ireland had no interest in maintaining law and order in that country, and that they should not bear the expense of it. He confessed it seemed to him that, when they compared these classes one with the other, the landlords ought to be the first to offer to pay, and if they were a patriotic class they would do so. Every landlord in a district, every landlord in a county, ought to join with the tenants in preventing breaches of law and order; and if they did not do so they neglected their duty, and really laid the foundation for disorder. By passing the Bill in its present form the Committee would place the tenants of Ireland on one side and the landlords on the other—they would establish two camps, and that was just the way to begin to destroy law and order. He declared that if they established two camps in Ireland, and separated the classes, instead of laying the foundation of law and order, they would be laying the foundation of lawlessness and disorder; and "The Prevention of Crimes Bill" would, in reality, be "The Encouragement of Crimes Bill."

Amendment proposed,

In page 8, line 38, after the word "thereof," to insert the words "and such applotment shall be made by a poundage rate in the same manner as poor rates, and the tenant of any such rateable hereditament shall be entitled to deduct such poundage deduction as he is entitled by the Laws for the Relief of the Poor to make in respect of the rent of such rateable hereditaments."—(*Mr. Synan.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, the proposal was based on a complete misapprehension of the whole object of the clause. It had been explained over and over again that the object of the clause was to call upon the residents in a district to act as mutual guarantees for the preservation of order—that if it was felt that additional constables were required in a district, the residents should pay for the condition of disorder and crime which had led to that necessity. It was the very essence of the clause that the charge should be imposed on persons resident in the district—it had nothing whatever to do with the question of who was the tenant and who was the landlord. If the landlord was an occupier he would have to pay. No landlord would be exempted as a landlord, nor would any tenant be charged as a tenant; and what the hon. Member had said, therefore, with regard to landlords and tenants, was totally beside the question. The charge was one which, from its whole character, must necessarily fall upon the occupier. If the landlord were an occupier he would pay as an occupier; if the tenant were an occupier, he would pay as an occupier. The whole thing lay in a nutshell, and it was quite obvious that this Amendment was inconsistent with the scope of the Bill.

Mr. O'SULLIVAN said, the arguments that were used for the Amendment of the hon. Member for Wexford (Mr. Healy) could be used also for this. He did not see why, when they had the power of deducting half the tax in the case of the poor rate, they should not have power to deduct half of this tax for extra police. The custom had been to divide all the rates and taxes of this kind between the landlords and tenants. Let the Committee compare the conduct of the Conservatives, when in Office, with that of the Liberals in this matter. See what the Conservatives did in 1879, when they passed the "Seeds Loan Bill." They required that the landlord, as well as the occupier, should pay his portion of the rate. Look at their conduct, again, in regard to the Public Works Loans Bill. ["Question!"] He thought that if hon. Gentlemen would listen for a moment they would see that he was making a useful comparison between the action of the late Government, which was a Conservative Government, and the present, so-called, Liberal Government—he was showing that when the Conservatives made fresh taxes they compelled the landlords to pay half of them; but that now the Liberals were making a fresh tax they compelled the occupier to pay all. The proposal of the Bill seemed to him to be most unfair and unjust, and he did not see why the landlord should not be called upon to pay as well as the occupier. On the occasion of his last visit to Ireland he met some farmers, and in conversation with them he found them convinced that it was through the influence of the landlord party and the Freemasons that the recent murders were committed in Phœnix Park. He had argued with them about it, but had failed to convince them that they were wrong. The opinion of these people, it was obvious, would be confirmed when this blood tax was levied. If the Government said—"We will have the Bill, the whole Bill, and nothing but the Bill," the Irish Members would have to fight it out to the bitter end; but he trusted the Government would reconsider their decision, and see their way to the acceptance of the Amendment.

Mr. SEXTON said, he hoped the Government would condescend to make some reply to his hon. Friend the Member for Limerick (Mr. O'Sullivan) on the subject of residence. The Home Secretary had just said that this tax—this "blood tax," as it was popularly known in Ireland—was intended to be imposed on those who were resident in the district in which the crimes were supposed to be committed. There were tenants, as well as landlords, who would fall under the description of absentees. It was a familiar fact to anyone who, unlike the right hon. and learned Gentleman the Home Secretary, had some practical knowledge of Ireland, that there were in all parts of Ireland tenants who held a plurality of farms, some two, some three, and so on. They could not live on all their farms; but they would be liable to pay a tax in respect of either one if the district in which it was situated were fined. In Sligo, nearly all the landlords were constantly resident there, so that some of the tenants, who were absentees, would be fined, while the landlords, who were resident, would not be. Of the landlords of Ireland, almost everyone was resident on his estate at some period or other of the year. But, if absence from the country, or a district, was to be cited to the Committee as a reason for exemption from this tax, he might plead the case of those poor cottiers in Connaught, who every year came over to England harvesting. There were thousands and thousands of people who would be called labourers, and not tenants, in any other country in Europe but Ireland, who came over to England every year to endeavour to earn the money to pay their rent at home. If, during the absence of these people in England or Scotland, in June, July, or August, an outrage occurred in the district in which their homes were situated, under the Bill of the Home Secretary they would be liable to pay a share of the tax that would be levied. When they arrived home, the £10 or £15 they had earned by hard labour to satisfy the landlord would be drawn upon to pay the murder tax. Let the Committee hit upon some even line of policy between landlord and tenant. If the poor cottier were taxed for a murder committed during his absence in England, why should not the landlord also be taxed for what occurred in his district during his absence? He would put forward a reason for the Amendment from a Government point of view. If they thought it desirable to impose a tax of this kind they ought to be ready to take every step, and adopt every precaution, which would give them greater security for the collection of the tax. He submitted that if the tax was levied upon the occupiers only—upon a class that included many people trembling on the brink of starvation, nay, many people actually over the brink and starving—the security for the collection of the tax was very small indeed. If the Home Secretary looked to that class alone for the money leviable, he would find that many of them who were almost penniless would refuse to pay, and they would have to resort to armed force, and the result would not be healthful to peace and order, but exactly the contrary. The landlords, as compared with the cottiers, were a wealthy class, and if they were included in the clause under discussion, the security for payment would be greater, and the danger of a conflict between the tenants and the armed forces of the Government would be lessened. The tax would raise a double liability—a liability to compensate the relatives of persons murdered, and to compensate persons maimed and injured, and also to pay for the maintenance of extra police. It seemed to him that the landlords, as a class, had such a direct interest in the collection of both these taxes, that they ought, in fair play, to bear a part of the burden. Persons of the landlord class had been murdered, and, in the present state of feeling between class and class, he saw no reason to hope for a cessation of that state of things. ["Oh, oh!"] He said he saw every reason to fear—["Oh, oh!" *and* "Hear, hear!"] He hoped hon. Members, in accordance with their too usual practice, would not endeavour to give to his words any meaning except that which he wished to convey. He feared they had not reached the end of that state of things to which he had referred. He feared it as honestly as any man in that House, and he deplored it extremely; but how could he look forward to the future in any other spirit, when he saw that evictions were still taking place in such numbers—when the Minister responsible for the affairs of Ireland rose at the Table of the House and told them, on the evidence of the officials of the Crown, that evictions were being pressed from day to day, under circumstances which he and they were obliged to admit were circumstances of cruelty? The extra police would be used for the protection of the persons of the landlords, and of their bailiffs and followers of various degrees. He believed he was entitled to say, therefore, that the landlords should be called on to bear part of the burden, and he did not know why any such statement as that should be encountered by the deep melodramatic tones of the Home Secretary, who never seemed to be happy unless he could attach to the words of some Irish Member a meaning far from that which the hon. Member had in his mind. The landlord should be called on to pay his part of the tax, for what was the initial force at work in causing crime and outrage? It was the rigour and obstinacy with which landlords pressed for what they called their "legal rights." If they could be induced to exercise their legal rights with a little humanity and restraint, crime and outrage would diminish. If the Government would put on the landlords one-half the burden of this blood tax and extra police tax, the landlords would at once be brought to see that their interest lay in stopping eviction. The Committee had been repeatedly told that the object of the clause was to teach the people of Ireland that their pecuniary interest lay in the maintenance of peace and order in their localities. Let them teach the landlords that, and peace and order would be maintained. Why should they confine that teaching to one class of the people? He challenged the right hon. and learned Gentleman the Home Secretary to give an answer. If any lesson in law and order was to be taught in Ireland, he called on the Government to teach it boldly and impartially to every class of the Irish people. If the lesson was valuable to one class it was valuable to another, and if they were to teach it to the poor peasant starving on his five acres of rock and marsh, let them also teach it to the Marquess and the Earl drawing his £20,000 or £30,000 a-year from the country. If the poor peasant was to pay a tax out of the price of his Indian meal, at least let the rich landowner share the burden, and let him see that it was to his interest to help to preserve law and order—teach him that evictions were really the first step on the road to crime. If the Government let the people of Ireland see that the poor people were called on to bear the entire burden, and that the one class who were best able to bear the tax were shamelessly and recklessly excluded from the operation of it, what would be the moral effect? The effect would be to excite and stimulate in the breasts of those upon whom the tax was imposed a deeper hatred to the landowning class than they had at present. ["No, no!" *and* "Question!"] This was the question—it was the question, and he would not be interrupted. The question was whether the landlords ought or ought not to pay half the tax, and he was showing that in the interest of public order it was desirable that they should pay half. The landlords were primarily responsible for the condition of Ireland. ["No, no!"] Hon. Gentlemen said "No." Did hon. Members know what evidence had been given by Resident Magistrates of Ireland on this matter—did they join issue with the Lord Lieutenant himself? Did they know more about Ireland than the responsible Minister who represented it—the Minister who had stated at the Table of the House that evictions were taking place which were cruel? The landlords were best able to bear the tax, and they, by a cruel and shameful exercise of the rights placed in their hands—as testified by the Resident Magistrates of Ireland, and as testified by the Minister responsible for the affairs of Ireland at the Table of the House—had brought about the deplorable state of affairs in Ireland which had induced the Government to propose this Bill.

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Mr. MARUM pointed out that according to the framework of the Act all occupiers of hereditaments would be called upon to pay this tax. The Government proposed that the tax should be payable when a murder or other crime was of an agrarian character or arose out of an unlawful association; but there was nothing in regard to agrarian offences in the Preamble. Might it not be that the crime could be traced to people who were not occupiers of hereditaments, as, for instance, in the case of the deplorable murder in Phœnix Park? That was believed not to have proceeded from agrarian causes, and it had been frequently said that such murders were due to foreign sources. If that was so, why should the occupiers or owners of land be called upon exclusively to pay for crimes which were not derivable from agrarian disputes? In a town there would probably be very few occupiers, but there might be very many artizans and others who took a prominent part in organizations of an unlawful description, and yet occupiers of land would be responsible for crimes proceeding from such associations. In his judgment, the Home Secretary had failed to justify the proposal to make the occupiers of hereditaments and land pay for crime over which they had no control.

MR. BYRNE said, he could not help thinking that the clause as it stood would operate very hardly upon a class of tenants, some of whom were poor and even receiving out-door relief. He was astonished to hear the Home Secretary say the Irish Members did not understand this question at all, and that it was a question not of money, but of mutual guarantee or guarantor. As he understood it, what was mutual ought to apply to rich and poor alike, to tenant and landlord equally; but unless the clause was amended it would inflict the greatest hardship and suffering on poor people, and would leave the rich untouched. The wise course would be to take advantage of this Amendment, and so alter the clause that the landlord should allow to the tenant one-half of the tax, or that, at all events, people entitled to receive outdoor relief should be exempted.

DR. COMMINS said, everyone knew that at the root of the agrarian crimes lay the abuse of power by the Irish landlords. This Bill was supposed to be a preventive measure; but he believed it would not operate in that way, unless it went to the core of the question and dealt with the excessive use of power by the landlords.

THE CHAIRMAN: The hon. and learned Member knows exactly what the Amendment is; it is very simple, and he must speak directly to it.

DR. COMMINS said, the Amendment was that the rate to be levied should be divided equally between landlord and tenant. Hon. Members seemed to be ignorant of the Irish Poor Law. Under the Poor Law half the rates were deductable from the money due to the landlord; and if half this new tax was to be paid by the landlords, they would be restrained from using their legal rights in a manner which had led to one-half of the crimes committed. It was said that because landlords used their legal rights to evict crimes had been committed.

THE CHAIRMAN: The time has come when I must seriously draw the attention of the Committee to the very prolonged mode in which these debates are being carried on; and I trust the Committee will support me in my efforts to confine the speeches of hon. Members strictly to the Amendments.

DR. COMMINS said, he did not wish to deviate in the slightest degree from the question, or to repeat a single argument already used; but he thought that in order to prevent the abuse of legal rights by the landlords the Committee should make it their interest not to abuse their rights, by making them liable to the same proportion of this tax as of the poor rate. They would then refrain from acting in what the Chief Secretary had called a cruel and unpatriotic manner. If the avowed purpose of this Bill was to be attained, and the measure was to be punitive and preventive, there should be no exemptions made, and certainly none which would leave the foundation of Irish crime altogether untouched.

MR. T. D. SULLIVAN said, he wished to point out a consideration in connection with this Amendment which had not yet been advanced. He had always endeavoured to avoid repeating arguments which had already been used, especially when they had been much better put than he could put them. But the point he wished to put was this—if the landlords were compelled to bear a portion of this tax, they would be discouraged from unnecessarily asking for an increased police force; while if no such check was imposed upon them, they would be very free to ask for any number of extra police, well knowing that they would be free from liability for the expense. That liability would also have this effect—it would go to some extent towards teaching those gentlemen to behave themselves; it would teach Irish landlords that they had better try to get upon good terms with the people, and not excite exasperation and ill-feeling by harsh conduct and demeanour, and that it would be better for their pecuniary interests to cultivate relations of peace and goodwill towards the people. If they were exempted from the incidence of this tax, they would be constantly asking for more and more police to give them courage—which a good many of them needed—and to enable them to act hardly and severely on individuals in the locality towards whom they had no good feeling. He thought that was a fair argument in favour of the Amendment, and he wished to put it before the highly receptive mind of the Home Secretary, who was always so very willing to accept reasonable Amendments from that quarter of the House.

Mr. METGE regarded the Amendment as specially strong in regard to the interest which landlords, equally with tenants, had in the detection of crime. It was very strong, because of the effect it would undoubtedly have in respect to the landlords themselves; and he had no doubt that the landlords were largely responsible for the present state of things in Ireland. They had been condemned out of the mouths of Members of the Government for their action during the last few years. This Amendment would act as a restriction on the landlords as well as the tenants, and that was really the whole object of the clause. The Government had refused to exempt other classes of persons from the Bill, such as clergymen and doctors, and why should they exempt landlords in cases where crimes could be traced actually to their action? In the last few days there had been a Corporation formed by landlords in Ireland; that Corporation would directly conduce to the commission of crime.

Sir JAMES M'GAREL-HOGG rose to Order, and asked whether the hon. Member's observation had anything to do with the question?

The CHAIRMAN: It has nothing whatever to do with the question. This Corporation is repeatedly brought in where it has no reference to the subject, and I must ask the hon. Member to keep closely to the question before the Committee.

Mr. HEALY rose to the point of Order.

The CHAIRMAN: The point of Order is settled.

Mr. METGE said, his object was to show that this Amendment should be adopted. If the Government wished to put down crime the clause should be used equally, and the landlords had instituted a Corporation which would increase crime——

The CHAIRMAN: If the hon. Member persists in what I have already told him is irregular, I must take other steps.

Mr. METGE said, he did not wish to discuss the criminal class in Ireland.

Sir JAMES M'GAREL-HOGG asked whether the hon. Member had a right to talk of the landlords in Ireland as the criminal class?

The CHAIRMAN: Is the hon. Member about to go on with his argument in that way?

Mr. METGE replied, that he would say no more about the subject; but, in regard to the Amendment, he thought he was in Order in saying that, as the clause stood, the landlords were practically exempted from all penalties to which they ought really to be equally liable with the tenants. The Home Secretary said he wished to bring punishment home to the men who occupied land; and then he said landlords, being to a certain extent occupiers of land, would come within the clause. That might be so; but there was in the Act a clause providing that the Lord Lieutenant might exempt any specified portion of an area or any specified rateable property in such area; and anyone who knew how such arrangements were made, would know that it was absurd to talk of the landlords being taxed. The Lord Lieutenant would not decide that a district was to be charged so much without having obtained some evidence showing that the penalty should be imposed; but how would he obtain that evidence? He would obtain it directly from the landlords, the very class who ought to be included, and who, if included, would have a strong reason for mitigating the charge as much as possible. Something had been said about the charge being in some cases exorbitant; and a case had been mentioned in which £500 was levied on a district where a man had his hat knocked off. That might be an exaggerated case, but he knew of a case just as trifling, in which a heavy charge had been imposed. If the men who were to collect the evidence upon which the charges were to be imposed were themselves made liable in some measure for the amount levied, they would use certain discretion in respect to their evidence. An hon. Member (Mr. O'Sullivan) had said that a strong opinion prevailed in Ireland that the terrible crime which had shocked the whole country was instigated by the landlord and Orange classes in Ireland. He did not wish to support that view, but such opinions did strongly and largely prevail; and when such a feeling existed, and a blood tax was levied on the people, and they were separated by hard-and-fast lines from the class whom they believed to be equally responsible for the crimes committed, the effect would be to drive the people further away from any effort to assist in detecting the perpetrators of crimes. For these and other reasons he urged the Committee to accept the Amendment.

MR. GILL said, that although every allusion made to the conduct of landlords, from the disagreeable point of view, was opposed by hon. Members, he felt himself bound to bring forward another reason why this tax should be levied on the landlords. There had been some very eminent authorities quoted as to the harsh, cruel, and unpatriotic character of the landlords. In a recently-issued Pastoral, the Cardinal Archbishop of Dublin had condemned, in the strongest terms, the terrible crimes which were disgracing Ireland, and he said every Christian and every honest man should condemn them. His words were—

> "No words of defence can be offered for the deeds of oppression which in some districts are driving our poor and unhappy people to desperation and ruin; but, on the other hand, no words of reprobation are strong enough to denounce the horrid deeds of vengeance which are making our country a bye-word among civilized nations by the one class as well as by the other."

The same authority said—

> "There is unfortunately too much reason to fear that many of our people are at this moment inveigled by the emissaries of revolution into these fatal combinations, where they become the slaves of unknown tyrants, and where at any moment they may be called upon to perpetrate the most hideous crimes."

THE CHAIRMAN: The Cardinal Archbishop's Pastoral is not applicable to this Amendment.

MR. GILL said, he thought that upon this Amendment it was fair to argue that the landlords ought to bear their share of the tax, and that was the exact point he was arguing. The Cardinal Archbishop said these people were being inveigled into secret societies, and he wanted to argue that the imposition of this tax on the people would still further inveigle the people into those societies. If they saw that the law was altogether against them, and they had nothing to hope for from it, what respect could they be expected to have for the law? If this Amendment was not carried, and the tax was put entirely on the poor people instead of being shared by the landlords, it would drive hundreds who had hitherto trusted the law into secret societies, and they would be driven to commit crimes in order to obtain the justice which the law would not give them.

MR. HEALY said, that up to that time the proceedings in Committee had been conducted with something like quietude, and there was no intention on the part of himself and his hon. Friends to proceed in any other way, no matter how long the Government carried the matter on. They found, however, that they were constantly interrupted by hon. Gentlemen opposite, and no one had been able to get a word out without the hon. Member for Oldham (Mr. Lyulph Stanley), who got into Parliament through the Irish vote, shouting "Order, order!"

THE CHAIRMAN: Does the hon. Gentleman intend to speak on the Amendment?

MR. HEALY said, he did; but he wished to appeal to the Committee to cease making noises until the arguments of hon. Members had reached them.

THE CHAIRMAN: If the hon. Member does not intend to speak on the Amendment he must not rise to it.

MR. HEALY said, he had heard a similar expression used before during the debates; but if the time had now arrived when it was not to be used he would not repeat it. But if the Government desired to make progress he would ask them to consider that this Amendment was put forward for a special purpose. He was not going into the merits of the Amendment, but he hoped the Committee would proceed calmly and rationally, without interruption to speakers.

MR. LEAMY asked how the Government could expect to get a tax of this kind from tenants who had the utmost difficulty in paying their rents? The Government stated that their object in imposing this tax was to some extent to punish tenants, because, he supposed, they believed the tenants sympathized with crime, and had not given that assistance which the Government thought they ought to give in detecting the real offenders. But surely there was a difference between punishing and crushing a man, and the Government would over-do their work if they imposed too heavy a burden on the people. Some Members of the Government had said that the disturbance in Ireland had arisen from the fact that tenants were burdened with excessive rents which they were unable to pay; that, in the last Parliament, an Act was passed in the interests of law and order; that not only was the Peace Preservation Act necessary to put down crime, but to strike at the root of crime; and when the Government proposed to impose this heavy tax, they were overdoing it, because if agrarian crime was rife through the misery and distress caused by heavy rack rents, surely if this tax was added to their rents, the rents, even if reduced by the Land Court, would be brought up to the level of the old rack rents. In that case the same spirit of illwill to the landlords, and the same misery and crime which was said to have sprung from distress, would again become rife in Ireland. No matter how fairly the Lord Lieutenant might desire to act in the imposition of this charge, and no matter how fairly the local authorities might desire to discharge their duties, it was inevitable that, in many cases, men who had no sympathy with crime, and were as innocent of crime as any man in that House, would have to bear this severe burden. Although the Chief Secretary had described 10*s.* in the pound as an extravagant sum which the Lord Lieutenant was not likely to impose, it must be borne in mind that not only could the Lord Lieutenant impose a charge for compensation for outrages to persons, but also for additional police; and an additional charge might be levied under the Malicious Injuries Act for the burning of a house. Therefore, it would be possible to have three imposts on a tenant who was perfectly innocent of participation in any crime out of which a charge arose. He might have to pay compensation for personal injury, for additional police, and a charge under the Malicious Injuries Act for injury to property. Therefore, the Government ought not to impose too big a burden on innocent tenants. If it were certain that this charge would only strike guilty tenants, it would be right enough; but unless the Lord Lieutenant possessed supernatural powers, it would be impossible for him to select men who participated in crime by screening the guilty men. When this Bill became law, it would happen in any districts where injuries were done to persons there would be injuries to property, and, in consequence, the rents would be brought up practically to the old rack rents, which the tenants would have no means of paying. He did not believe the Government intended to bring about such a state of things that tenants must either fail to pay their rents, or fail to pay the State. If they failed to pay the State, the State could distrain upon their goods; and then, if the State took away their cattle or ploughs, they would be unable to work, and in that way they would be unable to pay their rents. When men found themselves in a hopeless position, it was impossible not to conceive that they might be driven to desperation. No idea could be formed as to the amount of the tax, and it was very likely that next year Parliament would be appealed to on behalf of a large number of tenants who had been borne down by an excessive tax; and then another appeal might be necessary to relieve the tenants in the same way as the Government now proposed by the Arrears Bill. If the Government thought that 60,000 or 100,000 tenants were so much in arrear that this country should pay half their arrears to enable them to begin afresh, this was hardly the time to pass a law which would impose so heavy a burden upon the people that next year Parliament might be asked to pay that burden for the people.

Question put.

The Committee *divided:* — Ayes 26; Noes 159: Majority 133.—(Div. List, No. 203.) [1.0 A.M.

THE CHAIRMAN: The next Amendment is in the name of Colonel Nolan. It is to insert, after the word "thereof," in line 38—

> "Any person who is liable to pay a rent in respect of any premises in any such district may deduct from such rent one half of the sum which he has paid for such addditional constabulary in compensation on account of such premises."

This Amendment cannot be put because it is governed by an Amendment just passed.

The next Amendment is in the name of Mr. Healy, and it is to insert, after the word "thereof," in line 38, "Provided, That such district shall not be less in area than the barony in which it is situate." That Amendment, also, cannot be put, because it has already been decided that there may be a portion of a barony subjected to tax.

MR. HEALY then moved to insert, after the word "thereof," in page 8, line 38, "in occupation at the date when such charge is applotted." He apprehended there would be no objection to this Amendment.

Amendment proposed,

In page 8, line 38, after the word "thereof," to insert the words "in occupation at the date when such charge is applotted."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Government could not accept the Amendment, for the charge was one made upon the land, and not upon the occupier.

Mr. COURTNEY in the Chair. [1.5 A.M.

MR. HEALY said, they ought to get a statement whether absentees were going to be charged this tax or not. In the case of men who were not on the spot when the crime was alleged to have been committed, were the Government going to hold such men liable? His point was this—that if there was no one in the occupation of the land at the time the crime was committed, it could not possibly be said there was any guilty party on the spot. How could it be said that a man had any guilty knowledge if he was not present? Unless the Government had made up their minds to refuse every Amendment that was put forward, he asked them how they could, as reasonable men, tax a person who was not in the occupation of the land at the time the crime was committed?

MR. LEAMY said, the right hon. and learned Gentleman seemed to think that if this Amendment was accepted it would possibly have the effect of inducing a man who was in possession of a farm, and who feared he would be called upon to pay this tax, to get rid of his farm, and so escape payment. It must be borne in mind that a man could not get rid of his farm since the Land Act of last year so easily as the right hon. and learned Gentleman seemed to imagine. Under the Land Act of last year they all knew that the rents were being reduced, and that the farms would become so valuable that a man would not, in order to escape the mere incidence of taxation—which might be only 6*d*. or 1*s*. in the pound, and must be only temporary—a man would not be induced to give up his farm, and would not be induced to look about for some party to buy his farm. It was necessary that the Government should give some *bonâ fide* reason for refusing the Amendment, which appeared to him a very fair and sensible one.

MR. HEALY trusted that the Attorney General for Ireland would reconsider this point. Did the right hon. and learned Gentleman mean to say that if a man was not in occupation of a farm at the time a crime was committed he was to be taxed? He would put it to the Attorney General for Ireland in this way. Suppose that a man assigned to somebody else his land, and that somebody else did not know that a crime had been committed in the district, it could not be held that the assignee had committed the crime? The words of the Home Secretary a moment ago were that he was anxious to make the inhabitants of a district the guarantors of its security. Was he going to make the guarantor of a district a man who was not there at all? This was a matter in which he (Mr. Healy) supposed the Attorney General for Ireland had advised the Home Secretary, and surely he would not so badly advise the right hon. and learned Gentleman as to say that a man in his absence should be fined. He could not see what object the Government could have in refusing an Amendment of this kind, and the Attorney General for Ireland need not think that by speaking for half-a-minute he would get rid of the Amendment. Let them take the case of a man who had saved a little money in America, that this Act existed from June, 1880, and that the crime was committed on the 1st July, 1880, and supposing a man bought the occupancy of a farm without ever having been in the district at all, the argument of the Government was that this new man, who, it might be, had not been within 100 miles of the farm in question, was to pay this police fine. If that was the kind of decision the Attorney General for Ireland would give when he was elevated to the Irish Bench, he (Mr. Healy) could not congratulate the litigants who would come before him.

Mr. T. P. O'CONNOR said, he was really astonished at the attitude of the Attorney General for Ireland. It surely would not be held reasonable and just that a man coming to a district before the commission of a crime and the applotment of the tax should be called upon to pay the charge. The Home Secretary now took refuge in silence, but he had said a short time ago that the Government wanted to make the recent occupiers interested pecuniarily in the detection of crime. The Irish Members were willing to take the right hon. and learned Gentleman at his own word. They said fine the resident occupiers, but do not fine those who were not resident occupiers when the crime was committed. He would take a case which might occur. Suppose a man had had a large share in the commission of crime, and suppose that man, in order to avoid the fine, gave his farm to the occupancy of somebody else, he supposed the right hon. and learned Gentleman would argue, that as they were not in a position to fine the chief participant in the crime, they should tax the new comer. He thought this clause would work more effectually if the Amendment was accepted.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the charge was to be put on the land, and as long as the charge was on the land the Bill contemplated that it should be paid by the occupier. By the Amendment it was proposed that only the person who was in the occupation of the land at the time the crime was committed should be called upon to pay the tax, and not the person who became the occupier subsequent to the commission of the crime. It was a well-known fact that when a person purchased land he took into consideration all the charges that rested upon it, and anyone buying land after the passing of this Act would know full well that it was liable to this charge. The Amendment would entirely defeat the object of the clause, and, therefore, it could not be accepted.

Mr. SEXTON said, the Attorney General for Ireland had said the charge would be on the land. That seemed a conclusive way of evading the question. But why was the charge to be laid on the land? Was it not because those who were in the occupation of the land were supposed to have a guilty knowledge of crime? The tax was to be levied on the occupiers of the land, because, in the view of the Government, their residence in the vicinity gave them a guilty knowledge. He submitted that the clause could be carried out in no other way than in the manner indicated in the Amendment. The Lord Lieutenant made an applotment on the occupier. If he was not to recover it from the occupier who was in occupation at the time of the applotment, how was he to recover it? The right hon. and learned Gentleman the Attorney General for Ireland suggested that the man who was in occupation at the time of the crime might positively get rid of his farm for the purpose of escaping the taxation; but that was a suggestion which could not be entertained for a moment. When a man had occupied his farm under a rack rent, and most discouraging circumstances in other respects up to this, he was not likely now to give up his holding even to escape the burden of this police tax. Suppose, however, he did give it up, what, then, did the Attorney General for Ireland say? Why, that if the Amendment were adopted, and a man sold his interest in his farm, the person who came in would not pay, and no one would pay. The Attorney General for Ireland was a practical man, and he said if they did not get the money from the person who had the guilty knowledge, they must get it from the new-comer. "If," said the right hon. and learned Gentleman, "you are not to get it from the person who is in occupation, how are you to get it from the previous occupier, who, possibly, had left the country?" He (Mr. Sexton) would like to know by what possible means a man who came into the district after the crime, could be held responsible for this tax? The new-comer's only crime was that he had had a few hundred pounds in his pocket, and he had had the misfortune to buy a farm in a district where a crime had been committed. Did the Government seriously mean to stand on the principle that when a man entered upon the occupation of a farm he was to take the legal responsibility of his predecessor? He respectfully submitted that there could be no more absurd argument than that advanced by the Attorney General for Ireland.

Mr. HEALY said, if he withdrew the Amendment, would the Government agree to insert these words—"in occupation at the time of the crime." It appeared that it did not matter whether a man was in the district or not at the time a crime was committed; he had to pay in any case. Was this the sort of logic to which the Committee were to be treated? Why did not hon. Gentlemen below the Gangway opposite come forward now that the Government was got on the hip? In the first place, the Committee was told that a district must pay towards the detection of crime; and, in the second place, they were told that a man must pay, whether he was in the district at the time of the crime or not. Such were the arguments by which this miserable Bill was being supported; these were the arguments which the public would not learn because they would be suppressed by the English Press; these were the arguments used when he and his hon. Friends were charged with Obstruction. The argument of the Government was that the people of a district must be made to suffer if a crime be committed; and whether a man was in occupancy or not at the time of the crime, he must pay all the same. [Sir Frederick Millbank: Hear, hear!] The hon. Gentleman, who had recently been made a Baronet for political services, naturally cheered that sentiment. He would ask hon. Gentlemen, even though some of them had been made Baronets——

Mr. MAGNIAC rose to Order. He would like to know whether the hon. Gentleman was in Order in using an expression of that kind? ["What expression?"]

The DEPUTY CHAIRMAN (Mr. Courtney): I must confess that the discretion of the remark was very questionable; but I cannot say it was out of Order.

Mr. HEALY said, he was very glad they now had it on the authority of the Chairman that it was not a crime to be called a Baronet. He would ask the Committee to remember the argument upon which the Home Secretary based this clause earlier in the evening. The right hon. and learned Gentleman the Home Secretary said it was intended to make the resident occupiers guarantors for the peace of the district; and now the Committee were told by the Attorney General for Ireland that, whether a man was in the district or not, he was to pay. The Attorney General for Ireland said the charge would fall on the land, and if a man took land from another, he would take it with all its charges. Let them take the case of a man who was unable to pay his rent because of the exorbitant charges put upon him by this Act. If this man were evicted, and another took the farm, the Government were of opinion that the new-comer must pay the charge, which, by the way, had ruined the previous occupier. These were the arguments to which the Committee was treated; therefore, there was no other course open to him than to go to a division.

Mr. GILL said, the Attorney General for Ireland made a most extraordinary statement, which he (Mr. Gill) could easily understand if this clause of the Act were not retrospective. The right hon. and learned Gentleman said that a new occupier could not be misled, because, when he took a farm, he would take into account that this charge would be upon it. How would that be in the case of a man who purchased a farm long before this Act was in contemplation? Suppose an outrage was committed 18 months ago in a particular district, a man who, six months later, purchased a farm in that district, would be actually mulcted out of his money, because no one could imagine for a moment that the district would be brought under the operation of a clause like this. He would instance another absurdity to which this clause would give rise. If a man had actually committed a crime, and had given up his farm and gone to America, and if the land fell into the occupation of the landlord, would the Attorney General for Ireland contend for a moment that the tax should fall upon the landlord?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Certainly.

Mr. T. P. O'CONNOR said, his hon. Friend (Mr. Gill) asked the Attorney General for Ireland whether a landlord who took possession of land would be taxed under this clause for crime committed in the locality, and the right hon. and learned Gentleman, with that commanding countenance which proved his ingenious Irish nature, which, by the way, had been a little tarnished in this

Committee, said "Certainly." Did the right hon. and learned Gentleman mean to deny that the power which was given to the Lord Lieutenant, in this and other clauses, to exempt from this taxation persons remarkable for their devotion to law and order, would not be exercised? Why, the natural interpretation of this clause would be to exempt a landlord in every case from any share in this taxation. The right hon. and learned Gentleman said, a short time ago, that the tax was on the land, and not on the occupier. If that were so, it ought to be a matter of perfect indifference to the Government who was the occupier. The Attorney General for Ireland had also said that if a man took a piece of land, he ought to take it with all the burdens upon it, and, imagining a case, he pointed out that an Irish-American millionaire, entering upon the occupation of land in a particular district in Ireland, would take the land with this fine as part of the charge on the land. But, possibly, the burden would not have been on the land when the purchase was made. This clause being retrospective, a fine could be placed on the land for an outrage committed two years ago, and a man purchasing land before or after the commission of the crime would be rendered liable to this tax. He would put another case. A large number of people had been imprisoned during the last 18 months under the Coercion Act. Many had been imprisoned from the district of Loughrea, more, he thought, than from any other part of Ireland, and yet, curiously enough, there was no part of Ireland at the present moment where there was a more terrible disregard for what was called law and order. Four murders had been committed in the district of Loughrea within the last three weeks; and he would put it to the Government—was it fair that the farmer of Loughrea, who was at present in Kilmainham Gaol, should, when he came out, find his farm taxed in respect of crimes committed when he was actually under lock and key? There would be taxed under this clause, which was meant to provide punishment for guilty knowledge, men who could not have guilty knowledge, inasmuch as they were hundreds of miles away, and possibly under the safe custody of the Government's own warders and turnkeys. He called upon the right hon. and learned Gentleman the Attorney General for Ireland either to accept the Amendment, or to explain to the Committee, in as calm and as rational a manner as he could, how it was possible to reconcile the clause as it now stood with the cases which had been put to the Committee.

Mr. SHEIL noticed that the Attorney General for Ireland had attempted to rise, but had been restrained by the right hon. Gentleman sitting beside him. He would remind the Committee that a proposition was made by the hon. Member for Wexford (Mr. Healy) which had been unnoticed. The proposition was to limit the Amendment by the insertion of the words "when crime is committed." It appeared to him that the suggestion was well worthy of consideration; and, whether the Committee would accept it or not, it was one which the Attorney General for Ireland might notice in some way.

Mr. SEXTON asked the Committee to clearly note that no reply had been given to the arguments based on the retrospective action of the clause. The Government had intimated their intention that this Bill should run back two years, so that in reference to a crime, agrarian or otherwise, committed in Ireland during that time this tax might be imposed. A murder might have been committed two years ago, and a tenant might have entered upon the occupation of a farm 18 months, or 12 months, or six months ago; a man might have purchased a farm without ever having visited the parish in which it was situated; yet he was to be called upon to pay this tax, though it could not be said that he had the slightest guilty knowledge of the crime previously committed there. Before the Committee divided, he wished to obtain an answer to one question. He wished in all humility to lay a case before the Attorney General for Ireland. A crime—say a murder—had been committed in a district in Ireland. A landlord in that district had reason to suspect a certain tenant as being concerned in that murder, either as principal or accessory, and he called upon the man to give up the holding. The farm was vacated between the commission of the crime and the applotment of the charge, or, at any rate, between the commission of the crime and the collection of the tax. In the interval the Land Corporation got to work in Ireland, and the vacated farm was filled by one of the loyal farmers from another county. Was this loyal man to pay for that complicity in murder which the Government believed to be present to the mind of the previous occupier?

Question put.

The Committee *divided*:—Ayes 21; Noes 148: Majority 127. — (Div. List, No. 204.) [1.40 A.M.

MR. HEALY said, the Attorney General for Ireland had said that this tax would fall on the land; therefore, he (Mr. Healy) was very curious to see if the Government would reject this Amendment, which was to insert, after "thereof," in line 38—

"Provided, That if any premises so chargeable shall be unoccupied at the date of any such applotment, the charge shall be payable by the owner of such premises."

This Amendment would admirably carry out the intention of the Government, and therefore he submitted it for their favourable consideration.

Amendment proposed,

In page 8, line 38, after the word "thereof," to insert the words "Provided, That if any premises so chargeable shall be unoccupied at the date of any such applotment, the charge shall be payable by the owner of such premises." —(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, it was clear that if the premises were unoccupied, there would be no one in occupation; but if the owner himself went into occupation, he would, of course, become liable as occupier. If the landlord put anyone else in occupation, the person so put in would become liable; and, therefore, directly or indirectly, the owner would become liable. There was nothing at all inconsistent in making the charge one upon the occupier.

MR. LEAMY asked if they were to understand that the only person who could be looked upon as the occupier was the tenant? Surely, if the farm was in the landlord's hands, he ought to be considered the occupier for the purposes of this tax.

MR. GIBSON said, it was easy to see how easy it would be to ruin the owners of farms if this Amendment were accepted. There would, no doubt, be an attempt to "Boycott" a large number of farms in order that the owner should not only have the farms on his hands, but be required to pay this tax. The Amendment would certainly give a new development of "Boycotting" which had not hitherto been understood.

MR. REDMOND said, it must be remembered that this tax was to be regarded as a punishment. It seemed to him that the landlord who had several "Boycotted" farms on his hands was, perhaps, one of the very men who deserved the punishment provided by the clause, for the probability was he had the farms on his hands because he had unjustly evicted his tenants, and had, in consequence, contributed largely to the state of things from which arose the crime by which the district had been disgraced. He (Mr. Redmond) trusted his hon. Friend would press this Amendment on the Government. It seemed monstrous that if a farm were really in the occupation of a landlord, the landlord should not be called upon to pay this tax.

MR. METGE said, that as well as he could understand the hon. and learned Gentleman the Solicitor General for England, in the case of actual occupation, the landlord would be charged under this clause. He would remind the hon. and learned Gentleman of what took place under the Poor Law. Under the Poor Law a landlord was required to pay not only in respect of the land he himself occupied; but, if he evicted a tenant, in respect of the land lately occupied by the tenant.

SIR WILLIAM HARCOURT said, the hon. Gentleman (Mr. Metge) could not understand the Amendment. An owner might be in occupation of land belonging to himself. If a tenant went out and the owner worked the farm, he was the occupier, and would pay this tax. What the Amendment dealt with was unoccupied land. A farm was not unoccupied if the owner was working it, and making profit out of it; but if a farm went out of cultivation, under the Poor Law and under this Act also the rate would not be paid. If a tenant came in afterwards he would take the farm subject to a charge of this kind, and, of course, would pay less rent. The clause as it now stood was perfectly just, and all the arguments which had been adduced upon the matter, as regarded the owner having the land on his own hands, were entirely beside the question.

MR. JUSTIN M'CARTHY said, it was perfectly plain that if the landlord was working the farm he was the occupier. But what the Irish Members wanted to know was, why the landlord should not pay this charge in a case where he did not work the farm? He would like to put a case which had occurred in the county he represented (Longford). There was in that county a landlord who was continually quarrelling with his tenants; he had evicted far and wide, and in one townland deserted farms were to be seen on every hand. Was this landlord, who had evicted tenants out of sheer dislike of them, to be exempted from this taxation, while the rest of the occupiers in the townland were to bear the whole burden of the charge? If the Government could adduce any legal or moral justification for such an exemption he should be glad to hear it.

MR. LEAMY said, the Chief Secretary for Ireland had expressly claimed for the Lord Lieutenant the power of exemption in the case of "Boycotted" farms. There was a question on that point he (Mr. Leamy) would like to put to the right hon. Gentleman. The Committee had been informed that if farms were vacated the landlord would not be called upon to pay the tax, but if, some time afterwards, new tenants, who, it might be, had never been in the district before, entered upon the occupation, they would be called upon to pay this charge. The question he wanted to put was this. Supposing the Lord Lieutenant imposed on a district a charge of £300, they might say that charge was put on the land; but unless there was somebody occupying the land, how was the tax to be raised? He could not understand why, if the Lord Lieutenant was imposing a charge in the first instance, he should not take care to impose it only on farms in the occupation of somebody who was liable to pay. This might happen—the Lord Lieutenant might make a charge of £300 on a district covered by 20 farms, and each farmer might have to pay a certain amount on his valuation to make up the sum, but two of the farms might be found to be vacant, and they might be unable to make up the sum. The Lord Lieutenant, therefore, should take care to select a district where the people in occupation of farms were quite able according to their valuation to meet the charge. He could not see how the charge could be put on unoccupied land.

MR. METGE said, he should like to point out that the Home Secretary had left the Committee under a false impression. He (Mr. Metge) had drawn an analogy with the Poor Law, and had said that if, in collecting the poor rate, a farm was vacant, the landlord became at once liable for the rate upon it. The Home Secretary had replied, "Yes, that is so, if the landlord works the farm; but if he does not, and the farm is allowed to remain idle, he is not charged with the rate." That was not the case. If the farm became wild the landlord could apply to the Returning Officer and say, "I wish to have a re-valuation of this farm," but the old valuation remained until this application was made. The analogy must obtain in the case before the Committee. The Government had given no answer to the strong case mentioned by the hon. Member for Longford (Mr. M'Carthy). The hon. Member had given the case of a whole country-side being swept of its tenants except one or two, and the whole charge being levied upon those few individuals.

MR. SEXTON said, the theory of the Law Officers of the Crown was most bewildering, and if carried out in Ireland would lead to most extraordinary results. When the Lord Lieutenant proceeded to levy a tax he would make the charge according to the rateable value of the district; and if the charge was a charge on the land, the tax would logically follow that definition. If the occupier was not to be had—if, in other words, the land was not occupied—the Law Officers should have the courage of their convictions, and say the charge should be levied on the owner. He failed to see what answer could be given to the excellent argument of his hon. Friend the Member for Meath (Mr. Metge), who had given an analogous case where the charge was a charge on the land—namely, the charge for the maintenance of the poor. If the occupier could be found, he was made to pay; but if he could not be found, the person whose duty it was to collect the rate went to the next person connected with the land and levied the charge upon him. If the charge was a charge upon the land, so long as anybody had a vested interest in the land, whether he were owner or occupier, he should be charged, otherwise the statement that the charge was a charge upon the land was misleading. The hon. Member for Longford (Mr. M'Carthy) had put a very instructive case; and he (Mr. Sexton) would inform the Government that cases more extreme than that were likely to occur. The hon. Member for Tipperary had told them of a case in his county where a certain landlord—a nobleman—had served notices of eviction over the whole extent of a wide parish. This landlord, who was a man of strong will, had expressed the determination of carrying out the evictions. Well, supposing that that parish were depopulated of every man, woman, and child—depopulated to its last inhabitant—and supposing, in consequence of the feeling caused by this wholesale eviction, someone was wounded or killed on the roadside, a tax would be levied on the parish; but who would pay it? The occupiers would be all gone—there would be no tenants left—they would all of them have passed along the highway to the poor-house. The only person left would be the landlord, the person who, by the action he had taken, had caused the state of feeling which had led to the outrage. Was he, guilty as he was, to pay nothing in respect of the outrage?

Mr. PARNELL said, he thought they ought to have an answer from the Government as to the cases of eviction mentioned by his hon. Friend (Mr. Sexton)—cases which indicated a remarkable shortcoming and omission in the clause under discussion. His hon. Friends had mentioned cases where all the inhabitants of a district might be evicted, and where, in consequence, outrage might take place. The Lord Lieutenant, in pursuance of powers given him under the Bill, would bring in a force of extra police, or would give the relatives of the person maimed or injured some compensation; and the Government had been asked on what lands would the charge for the police or for this compensation be levied? If there was no land upon which it could be levied, except that which was not in the occupation of tenants, and was waste land, how could the charge be made? That was a plain question. Were the Government going to take powers in this Bill to go outside the district in which the outrage was committed—outside the district in which the state of things prevailed that caused the ill-feeling which led to the crime—and levy the tax upon some other locality, simply because there were tenants in it to pay—tenants in it who had paid their rents? Were they going to mulct these people in a charge by reason of an offence in which they had had no share or part, and which had occurred simply because a landlord of an adjoining district had evicted all his tenants and had left all their farms waste and derelict, as described by the Home Secretary? The hon. Member for Meath (Mr. Metge) had shown that the information and knowledge of the right hon. and learned Gentleman the Home Secretary upon this subject, and the statements he had made before leaving the House, were incorrect. The hon. Member had shown that if in the case of the poor rates a farm was left unoccupied and waste, the landlord of that farm was liable to pay the sum originally levied upon it until he called in the proper official and had the valuation altered. He was not speaking of any house upon the farm, because he was aware that where a house was unoccupied a landlord could claim to be exempted from paying any rates in respect of it; but he was speaking of unoccupied land—land, in the words of the Home Secretary left "waste and derelict." The poor rates on such land would still be charged, and would be payable by the owners; but, in the present case, the Government departed from that principle, in order—it could be for no other purpose —to inflict a heavy charge upon the tenants. The Irish Members were entitled, he thought, to ask the views of the Government on these points, which had been put with the greatest clearness and distinctness.

Mr. HEALY said, it was evident that it was not argument, but avoirdupois, that was going to weigh with the Committee, and, that being the case, it would be as well, perhaps, for the Government to put a weighing-machine in the Lobby to have them weighed instead of counted. Hon. Members had put some very pertinent questions, to none of which, however, the Government deigned an answer.

When he had put a question to the Attorney General for Ireland, that right hon. and learned Gentleman, having been accused by his Colleagues of having "put his foot in it," was not allowed to reply, and the English Solicitor General was put up in his place. The Attorney General for Ireland had previously delivered an argument; but that, so far as he (Mr. Healy) could judge, was put out of joint. The Home Secretary got up, but had been shown by the hon. Member for Meath (Mr. Metge) to be entirely wrong; and when the Irish Members had defeated the Government in argument successively, one after another, those hon. and right hon. and learned Gentlemen took refuge in sombre silence. That was the position to which the Government was reduced. The right hon. and learned Gentleman the Home Secretary had stated, with that blandness and knowledge of the law which did not distinguish him, that when a farm was vacant in Ireland there was no one left to pay the poor rate in respect of it. The hon. Member for Meath (Mr. Metge) had shown that the right hon. and learned Gentleman was altogether wrong, as the Committee would have seen if it had paid any attention to the arguments. The hon. Member had shown that the owner of the land would have to pay the poor rate until he went to the supervisor and had the property re-valued; but although the Irish Members showed that the arguments of the right hon. and learned Gentleman were entirely valueless, the Government remained silent. Hon. Gentlemen on the Ministerial Benches did not seem to care a button which way the argument lay. ["Hear, hear!"] He was glad to have the approval of hon. Members opposite even in regard to so limited a statement as that. In another argument the right hon. and learned Gentleman the Home Secretary had thoroughly exposed the animus which pervaded this particular clause. The right hon. and learned Gentleman had said that nobody but the tenants should pay. Could anything be more extraordinary than that? Why were the tenants to be the only people who were to be called upon to pay? Because, according to the right hon. and learned Gentleman's contention, they were the only criminals. The contention of the Irish Members, however, was that the landlords were, if not more, at least equally to blame. There was an old proverb which said "there was no smoke without fire," and it might be generally understood by the Committee that where these outrages were taking place in Ireland they were not without some provocation. That being the case, the argument of the right hon. and learned Gentleman, that the occupier, and the occupier alone, was to be the party who was to be responsible, was an argument that he (Mr. Healy) considered entirely fallacious. The Government had taken power under a former portion of the clause to allow the Lord Lieutenant to exempt any portion of the inhabitants that he pleased from the payment of the tax. Was that not sufficient for their purpose? Supposing a farm had been "Boycotted," as was said by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson)—though anyone who supposed that a farm would be "Boycotted" for the purpose of getting this blood tax on or off must have very little knowledge of agricultural operations in Ireland—the Lord Lieutenant had a power of exempting that in itself should be sufficient to enable the Government to give relief. As the Government—as was not unusual—had no answer to give, he would put to them another point. Supposing at the time a certain crime was committed, would they be prepared to exempt both the owner and occupier from the payment of the tax? They had made a statement to the effect that they wished to get at the criminals—that they wished to punish the guilty parties. He put the case of a farm that was entirely derelict at the time of the commission of a crime; would they still charge that farm with the blood tax—in the case either of the landlord or tenant, would the Government, at least, give him an answer upon that point? Supposing a man had two farms in two different portions of the same county, as very frequently happened, and supposing one was accommodation land near a town, and the other, upon which the tenant lived, was 10 miles away, if an outrage occurred in the district in which the accommodation land was situated, would the occupier, who was living elsewhere, be called on to pay a tax? He put these points to the Government, and surely, if argument was to be of any weight, if there was any use in it, some answer should be given. He put two cases to the Committee, and he took his stand on them, and he maintained that nothing could justify the Government in refusing them either a reply or concession on them. The Government had been very careful to provide for the case of accommodation land under the Land Act—they had taken good care that accommodation land and town parks should not have the benefit of that Act—these lands were not to have the advantage of any ameliorating legislation, but only the advantage of coercive legislation. The Government were careful enough of the interests of the landlords—["Question!"] He was entitled to be protected from these cries. When the Prime Minister, or anyone on the Treasury Bench, was at any time interrupted by Irish Members, the interruption was received with a perfect storm of howls. Hon. Gentlemen opposite could see injustice in attempts to cry down their own side; but when the injustice of their crying down other people was pointed out, they failed to see it. He would put the case again to the Government—were the men who in the Land Act they had excluded from benefit on account of their being the holders of accommodation land, to suffer the burden of this Coercion Bill for the same reason?

Sir WILLIAM HARCOURT said, the Government, through the mouth of the Solicitor General, and through himself, had given a reason which they thought reasonable and adequate for refusing this Amendment, and, having done so, they would be no parties to a deliberate waste of time, to an organized attempt to obstruct the Business of the House.

Mr. HEALY said, he would only say one word in answer to the right hon. and learned Gentleman's statement, and it was the second time the Government had made this statement when they found themselves without argument in replying to the Irish Members. When the late Chief Secretary, the right hon. Member for North Lincolnshire (Mr. J. Lowther), took part in the discussion, the Government felt themselves bound to answer him, though they kept the Committee for hours. It was only Irish Members below the Gangway on the Opposition side of the House that the Government —having first given them bad arguments —refused to answer.

Mr. PARNELL said, he was not to be deterred by the stilted and affected indignation of the Home Secretary from repeating his question—a question which it was perfectly fair to ask, and which it was most unfair for the Government not to answer. The Irish Members were entitled to an answer. The case had been put by himself and his hon. Friends repeatedly—the case where a district had been cleared and land was left derelict in the hands of the landlord. As a consequence of the evictions, outrages occurred, and, for the sake of argument, he (Mr. Parnell) would assume that the Lord Lieutenant would suppose that the outrages had been committed by the evicted tenants, and would consider it right to give the victims of those outrages compensation under these clauses, and, perhaps, to send extra police into the district. In such a case, would the charge for this compensation and for the extra police be placed upon the holdings from which the tenants had been cleared; or would the Lord Lieutenant, under this Bill, be entitled to go outside the district into some other district where the people had had no complicity in the outrages, and had no knowledge of them whatever, in order that he might throw the charge upon the tenant class, and not upon landlords? This was undoubtedly a point that would often come up in the working of this Bill in Ireland.

Sir WILLIAM HARCOURT said, he did not think an answer was required. It was obvious that, under the clause, the tax could only be imposed on the district to be charged.

Mr. PARNELL said, he wished to know on what district the charge would be imposed? If an outrage occurred in a district which had been cleared, would the charge be taken off that district and put on some other district which could not have had complicity with the outrage? That was a very plain and simple question.

Sir WILLIAM HARCOURT said, the charge would be put on whatever area the Lord Lieutenant fixed.

Mr. T. P. O'CONNOR said, that was just the point. The charge would be imposed where the Lord Lieutenant thought fit. The case the hon. Member for the City of Cork (Mr. Parnell) had put before the Committee might occur. The landlord of a district might evict all the tenants and leave the district derelict and waste, an outrage might occur, perhaps at the hands of, or by the instigation of, some of the evicted tenants; and unless this Amendment were accepted, the landlord could not be taxed for that outrage, but the Lord Lieutenant would be obliged to impose the tax upon an adjoining district occupied by tenants. The Home Secretary said the Government had given a reasonable and adequate response to the arguments of the Irish Members; but it seemed that what the right hon. and learned Gentleman considered an adequate answer to an argument of the Irish Members was first to misrepresent that argument.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): Order, order!

MR. T. P. O'CONNOR: Of course, I mean unintentionally, and then to place before the Committee as facts matters which are not facts.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I must call upon the hon. Member to withdraw the statement he has made.

MR. T. P. O'CONNOR said, he would, of course, withdraw the statement. He must have very inaccurately and very insufficiently found expression for what it was in his mind to say. He had been alluding to the statement of the right hon. and learned Gentleman the Home Secretary with regard to the Poor Law in Ireland, which statement the hon. Member for Meath (Mr. Metge) had contradicted and proved to be utterly incorrect. He would not force the right hon. and learned Gentleman to give them arguments—he might have none to give; but he (Mr. O'Connor) must protest against the way the right hon. and learned Gentleman was endeavouring to force the Bill down their throats by arguments which were no arguments, and statements that were incorrect.

Question put.

The Committee *divided*:—Ayes 20; Noes 142: Majority 122.—(Div. List, No. 205.) [2.35 A.M.

MR. HEALY said, he wished now to move a Proviso to the effect—

"That no amount shall be levied under this section upon any person who has obtained the benefits of any Act that may be passed in the present Parliament dealing with arrears of rent in Ireland, or whose claim thereunder is pending."

He regarded this as the most vital Amendment to the clause. The Government had brought in a Bill dealing with arrears of rent in Ireland, and having done that they had practically admitted that the occupiers were in certain cases unable to pay their rent. By accepting the Amendment of the hon. Member for Leitrim (Mr. Tottenham)—a very unfortunate step he (Mr. Healy) considered—they had thrown back the application of this clause for no less a period than two years. The hon. Member's Amendment was to the effect that all claims under this clause could be made just as though the Peace Preservation Act had never expired. This Amendment—though it seemed to him (Mr. Healy) utterly unnecessary—made the proposal he was now submitting to the Committee necessary. What did the Government propose to do? They proposed that where tenants were impoverished by reasons of bad seasons to relieve them of payment of all arrears, provided they would pay one year's rent up to the 1st of November, 1881. That was an admission of that which the Irish Members had all along contended was the case—namely, that a series of bad seasons had rendered it utterly impossible for the Irish tenants to pay all the rents due to the landlords. Well, if the tenants were unable to pay the arrears to the landlords, how could they pay a heavy tax that they could never have contemplated, seeing that the Act under which it was imposed—the Peace Preservation Act—had lapsed? It was a well-known principle of legislation that retrospection was a thing to be at all times condemned. The retrospection of the present Bill, making the tenantry of Ireland liable to be taxed for outrages committed since the 30th of June, 1880, opened up endless difficulties. If a man applied to the Court under the Arrears Bill to have his arrears of rent wiped out on payment of a certain sum, how could it be argued that he was a fit subject for a blood tax, even though they might say that the man, after he had received the advantage of the Arrears of Rent Bill, would be a better subject for the payment of the tax than he would be if that Arrears Bill had not been passed? Were they going to say that they had passed an Arrears of Rent Bill for the purpose of making people fit subjects for the payment of a blood tax? This, he could see, was the only argument open to the Government—namely, that the resources the Arrears of Rent Bill might leave the tenants would leave them in a better position for the payment of the blood tax. So that they threw the House of Commons into a convulsion, put the House of Lords in a panic, and ran amuck with the principles of political economy, in order to enable people to pay a tax that was not in force two years ago. He put this to the right hon. Gentleman the Prime Minister, and not to the Home Secretary—for the Prime Minister, as the Arrears of Rent Bill abundantly testified, had his mind open on the subject of the condition of the Irish tenants—and he would ask whether it was right that poor and miserable people, whose arrears of rent had been wiped out, should be plunged into deeper misery by having to pay a tax of this character?

Amendment proposed,

In page 8, line 38, after the word "thereof," to insert the words "Provided, That no amount shall be levied under this section upon any person who has obtained the benefits of any Act that may be passed in the present Parliament dealing with arrears of rent in Ireland, or whose claim thereunder is pending."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

MR. GLADSTONE said, he was bound to say he found in this Amendment, and in the arguments the hon. Member had used in support of it, a remarkable illustration of the great capacity of the human mind to take different views of a subject—to take views according to the position in which the person who approached it might stand. He owned it was a matter of great surprise to him that an Amendment such as this could be submitted to the Committee, so destitute was it of even the colour of justification. Parliament might include in the Arrears Bill a provision—though, perhaps, not in the exact form in which it was now proposed—to enable tenants, without any previous declaration or proof of incapacity to pay their rent, to obtain the benefit of that measure. That was a thing which was perfectly possible, and it had, undoubtedly, been within the scope of some of the proposals which had been made by hon. Gentlemen who were anxious that the Bill should pass. He took it that the Amendment assumed that persons who obtained the benefit of the Arrears Bill would obtain it after declaration and proof that they required it on account of inability to pay all that was due from them. Let them take the matter on that ground. It was admitted that persons so loaded with arrears, and overcharged with rent beyond their power to pay—that was to say, persons already in a state of insolvency—were, unquestionably, not in a position to bear a new burden. But the purpose of the Arrears Bill was to take them out of that state of insolvency The purpose and effect of the Arrears Bill was to place those tenants who took its benefits presumably just in the position of other tenants—to place them in such a position that they would be able to pay their rents, and would be solvent. If they were placed in that position they should pay the tax, under the clause of the present Bill they were discussing, along with all other solvent persons. There could not be exemption for one set of solvent persons, whilst another set were called upon to pay. It was an untenable, a monstrous, position to take up in argument to say that people, because they had once been in a position of pecuniary difficulty, from which Parliament had relieved them, they were not to be liable to pay charges imposed upon the rest of the community.

MR. SEXTON said, he had listened with great respect and attention to the observations of the right hon. Gentleman the Prime Minister, and he must say he failed to see in it any effort of reason against the Amendment. The right hon. Gentleman said it was an untenable and monstrous position to say that persons who had once been in pecuniary difficulty should be rescued from the obligation that would lie under this clause. But the case was not the case of persons who had been once under pecuniary difficulties. The thing was not in the past tense at all—it was the case of persons who were in the profoundest pecuniary difficulties, and who would be in the profoundest pecuniary difficulty when this Prevention of Crime Bill passed into law. What was the financial condition of the tenant who came under the Arrears Bill? He would be obliged to go into Court—because, although the Prime Minister had brought before them a hypothetical case as to what might be brought into the Arrears

Bill, he (Mr. Sexton) knew enough of that House, and of the right hon. Gentleman, to know that the Bill as it left the House would be the Bill as it entered the brain of the right hon. Gentleman. The tenant would have to satisfy the tribunal that he was unable to pay his rent. He (Mr. Sexton) would not follow the Prime Minister into changes that might be introduced into the Arrears Bill, He and the Committee had a right to take the Bill as it stood. The tenant would have to show that he was almost penniless before the State would come to his assistance, and then, when the settlement was finally arrived at, the man would be left destitute. This tenant, who was destitute, would have to till his farm. How could he buy stock? Yet the right hon. Gentleman the Prime Minister said this would be a solvent person, and ought to be required to pay the tax under this Bill. He (Mr. Sexton) altogether denied the accuracy of the proposition. The tenant might be solvent in the sense that he had no debts to pay, but he would not be able to pay this tax. In all probability, he would have to run into debt to get his first crop into the ground. To make such a demand as was proposed in this clause upon such a man would be not to do an act that tended to do away with a state of lawlessness and disorder, but which would tend to the commission of crime. The Government proposed in the Arrears Bill to assist the tenants of Ireland to the extent of some £2,000,000, and he thought that he was entitled to say that a class of men who were dealt with in that way by the State would regard the State with feelings of gratitude. Tenants who were nearly starving, and who were living in wooden huts, would be grateful for the assistance that enabled them to get back on their farms—the landlord foregoing part of the rent, whilst the State paid part. The state of mind of the tenants would be one of thankfulness and peacefulness—they would be anxious to get into the Land Court to get their rents reduced. But if the Government came down upon them with other obligations, which would leave them in a condition as bad as that from which the State had rescued them, all this good effect would be lost, and the people would be brought into conflict with the forces of the Crown, which could not but tend prejudicially to the interests of peace and order in Ireland.

Mr. HEALY said, the right hon. Gentleman the Prime Minister had described his Amendment as destitute of even the colour of justification. This was the first Amendment of his that the right hon. Gentleman had spoken of in such terms, and yet his (Mr. Healy's) view of it was that it was one of the most reasonable Amendments he had yet proposed. The Prime Minister's argument was, that after a tenant had received the relief of the Arrears Bill, he would be a solvent tenant. He denied that the tenant would be solvent. He would be nothing of the sort. The man who had not been able to pay rent to his landlord, generally speaking, had not been able to pay his debts to the shopkeeper, and in such cases he wanted to know how could they call the tenant a solvent man? It was a matter of notoriety that a man who was steeped to his lips in debt to his landlord, was also largely indebted to the tradespeople, because the landlord had a power of collecting rent which the tradesmen did not possess with regard to the debts due to them. The landlord had the power of distress and eviction, and seven or eight other powers which the ordinary creditor had not, so that the man who had been evicted, or who ran the risk of it, must be in debt more or less to other people than his landlord, because the landlord, having the supreme power of eviction, was sure to be paid as long as the tenant had the means of paying. But a tenant in this position was the man whom the Prime Minister (Mr. Gladstone) spoke of as solvent—a man, forsooth, who, although the landlord had been satisfied, had his goods and chattels still at the mercy of the other creditors, and who, because he had been able to scrape together sufficient money to pay one year's rent, because of his savings and struggles, by means of begging, borrowing, and backing bills, and getting his friends in America to send him a trifle, that man, after superhuman struggles of this kind, just because he had got, not his body, but his neck, out of water, was described by the Prime Minister as a solvent debtor. He (Mr. Healy) was always glad when the Prime Minister interposed and relieved the tedium of debate by a little of his eloquence; but, in this case, the Prime

Minister's argument was lacking in its customary logic. He would point out that there was a special provision in the Arrears Bill which the Prime Minister had said would make the poor tenant solvent, proving that the Government in drafting the Bill did not believe him to be solvent. What was it that that Bill proposed to enact? By the 4th sub-section of the 1st clause, in a paragraph of three lines, it was to be provided that the remission by the landlord

> "Of the whole or any part of the rent payable in respect of the year expiring as aforesaid shall be deemed to be a satisfaction of the amount of rent so remitted;"

which meant that the Prime Minister had found it necessary to enact that the landlord might in the case of the insolvent debtor remit the whole or any portion of the rent. The right hon. Gentleman (Mr. Gladstone) had contemplated such a state of penury that he had inserted this provision in the Arrears Bill, and yet this was the class of men whom the Prime Minister had described as solvent tenants. But there was one argument more. The Arrears Bill was not only to apply to the tenant who was absolutely on the holding, but to evicted tenants, and he would ask, was the man who had been evicted and was put in again by the mercy of the landlord and simply got a new start, or who, having been evicted, was without cattle to stock the farm or money to till the land—was such a man to be described as a solvent tenant? There was, from top to bottom, no soundness in the argument of the right hon. Gentleman (Mr. Gladstone). This was the reason why they were bound to continue these debates during the night and to discuss them as calmly as if it were noon-day; but he would point out that it was not the Irish Members who were responsible for this state of things. Her Majesty's Government had chosen to bring in a Bill dealing with the whole range of the Irish Land Question, and they must discuss the measure dispassionately, rebutting the weak arguments and giving in to those that were strong; but with regard to the point now under discussion, they had never, from the commencement of the debates in Committee to the present time, had so flimsy an argument as had been employed by the Government brought forward for their acceptance.

MR. T. P. O'CONNOR said, he did not think the Government, in the course they were pursuing, were making a good precedent for the Arrears Bill or for any other measure. His hon. Friend the Member for Wexford (Mr. Healy) had put the case of a tenant who, although he might be relieved by the Arrears Bill of all debts to his landlord, would still be deeply indebted to the shopkeepers, and this was doubtless a very strong case. But he (Mr. O'Connor) would put the case of a tenant who, by the Arrears Bill, might be relieved of all burdens in the shape of debt to his landlord, and who, at the same time, by his own economy had kept himself free from debt to his tradesmen. What was the position of such a man? It was that he was solvent in the sense that he was able to pay his way. By taking advantage of the Arrears Bill, should it become law, he would be able to pay in 1883 the rent of the previous year; but if this clause in the Prevention of Crime Bill were passed, he might be obliged to pay a fine on account of some crime committed in the year 1880, and, therefore, he might be placed in just as bad a position as he would have held had the Arrears Bill never been brought forward. This consideration appeared to his (Mr. O'Connor's) mind entirely to undo any benefit that might be conferred on the tenants by the Arrears Bill. If a man owed £10 for rent in 1880 he would be enabled to compound for that amount under the Arrears Bill, and having done that, he would be able to pay the rent in the succeeding years; but what would be his position if, in 1883, instead of paying his rent, the £10 had to be paid on account of some crime that had been committed one or two years before? That, he (Mr. O'Connor) thought, was a complete answer to the Prime Minister. At the same time, he must say that the tone and temper of the Prime Minister in discussing this Amendment might be imitated with advantage by the right hon. Gentleman's subordinates, who seemed to endeavour to make up for want of argument by an assumption of virtuous indignation, which, however, failed to impose on the minds of the Committee.

MR. THOROLD ROGERS said, he had twice that evening voted with hon. Members opposite for Amendments embodying principles which he believed to be just. He had voted with them on the question of the obligation of the landlord to pay his contribution towards the crime committed in a particular district because he believed, as a matter of fact and evidence, the landlords of Ireland were quite as responsible as the tenants for the present condition of the country; but anything more violent or contrary to justice than the proposition now before the Committee he had never heard. That proposal was that the tenant who got the benefit of the Arrears Bill, and who was to be put in a position of security for the future, should be rendered irresponsible for anything that might be done in the district to which he belonged, and, while getting the benefit of an Act of Parliament that would relieve him of a burden he could not otherwise sustain, should be also relieved from all responsibility for the consequences of acts which he knew had been committed in the district.

Mr. GRAY said, he always admired the confidence the hon. Member for Southwark (Mr. Thorold Rogers) felt in his own opinions.

Mr. THOROLD ROGERS: I have not in yours.

Mr. GRAY said, the question was not confined to the proposition that tenants already cleared of liability under the Arrears Bill should not be liable for the tax sought to be imposed by this clause, but it also had reference to those whose claims were still pending. The Prime Minister had seemed to assume that the moment the Arrears Bill was passed all the tenants who came under it would be converted into solvent men, who would be quite competent to pay fresh impositions. The same thing was said as to the Land Act; but it had not been found that the relief intended to be afforded by that measure had as yet reached the great mass of the tenantry. The machinery of the Land Act was to be applied to the question of arrears, and he would put it to the Committee how long would it take the tenants to have their claims tried and decided in the Courts established by that measure; whereas the moment the present Bill was passed the tenants would be placed under the liability it would create, not only from the date of its becoming law, but for two years beforehand. What could be more "violent," to quote the language of the hon. Member for Southwark (Mr. Thorold Rogers), than such a proposition on the part of a paternal Government, who said to the tenant—"We have cleared you of all the liability for rent you are unable to pay, and have converted you into a solvent man with one Bill; and we now knock you down and render you insolvent with another? We pass a couple of Bills side by side, one of which will convert you into a solvent man in a couple of years, while the other will render you insolvent, perhaps, forthwith." Was not that, he asked, a much more violent proposition than that of the Amendment? He could conceive nothing more calculated to bring a man to that state of desperation, which was the surest incentive to crime, than to say to a particular class of men—"We propose by certain legislation to save you from a destruction which is otherwise inevitable," and then, almost immediately after, to pass other legislation that would be sure to confirm the destruction which the first measure was intended to obviate. He regarded this Amendment as a most important one, and he was exceedingly anxious to hear the views of the right hon. and learned Gentleman the Attorney General for Ireland in regard to it. The right hon. and learned Gentleman must be well aware of the condition in which thousands of Irish tenants who would be affected by this Bill were placed, and he would ask the right hon. and learned Gentleman to take the case of a tenant who would be obliged to avail himself of the benefits of the promised Arrears Bill and say in what position he would be placed in the event of a large sum being charged upon him under the operation of the present Bill? What would be the good of relieving a man of one charge in order to impose upon him immediately afterwards another equally, if not more, onerous? Indeed, the passing of the present Bill would only be placing the poorer class of tenants in a worse position than before, because the Arrears of Rent (Ireland) Bill was holding out hopes to them which, by the operation of this Bill, would necessarily remain unfulfilled. The right hon. and learned Gentleman ought to consider this matter and state in what way the argument would be met by the legislation which the Government had in contemplation.

MR. PARNELL said, there was another point that was worthy of consideration. The tenants it was proposed to help by the Arrears Bill, and whom this Amendment proposed to exempt from the charge imposed by the clause under consideration, were very poor. They would have to prove their inability to pay their rent, and they would be found almost broken to the ground, without money, stock, or farming implements of any kind—being, in fact, in an utterly bankrupt condition. In a great many cases, especially those of the smaller tenants—and they must recollect that about 320,000 out of the 650,000 holdings in Ireland were valued at less than £8—he should have thought the Government would have been only too anxious to escape the necessity of charging such persons with a tax of this kind, the collection of which must be exceedingly troublesome and expensive. If they took the case of Lord Ardilaun's estate in the county of Mayo, where the tenants were exceedingly poor and the holdings very small, it would be found that of the 2,000 or 3,000 tenants on that estate the average rent was £6 or £7. Those tenants would probably derive great benefit from the Arrears Bill; but if they were put under the operation of this clause, how were they to meet their payments? How, on such estates as these in the West of Ireland, was it proposed to collect the charges that might be made under this clause? He knew of no way in which it could be done. These people had very little stock, and when the officers of the Government went to seize they would find nothing, or next to nothing, to lay hold of. The tenants had no money, and consequently no banking accounts, and the Government would find themselves saddled with the task of recovering money from a multitude of small tenants who were absolutely without effects on which to levy. This would throw a serious charge upon the county, and would necessitate extra police to assist in the collection, leading to a further charge, so that it would go on, one charge being added to another, until it would be like "the House that Jack built." Who, he asked, was to pay all this expense? The tenantry could not, and the result would be that in the long run the cost would fall on the British taxpayer. Such a state of things would necessarily cause immense friction and ill-will in the different districts, and would probably lead to further outrages and confusion, so that in the end the condition of affairs would be worse than it was at the beginning. Her Majesty's Government would do well to accept this Amendment in the case of those tenants whose inability to pay rent would be the first condition of their coming under the Arrears Bill. They must prove that they were paupers before they could be exempt from the payment of arrears. The Prime Minister had said the Arrears Bill would make the tenants solvent. It would do nothing of the kind. It would simply take off a load of debt, but it would not put them in possession of means to meet extra payments; and even where they had their arrears remitted, a large number would have to sell their holdings and go to some other part of the country. The Arrears Bill would, doubtless, confer a benefit on the landlords of these poor people, because it would enable them to get a certain portion of their arrears; but it would make the tenants themselves none the richer, and they would still be unable to pay any levy under this clause. The argument of the hon. Member for Wexford (Mr. Healy) was as plain as a pike-staff, and he could not understand how it was that the Prime Minister, who certainly was not wont to be illogical, could have fallen into so absurd a mistake as to suppose that the Arrears Bill would enable the tenants to pay that which they were previously unable to pay.

MR. GIBSON said, no doubt what had fallen from the hon. Member for the City of Cork (Mr. Parnell) was very true, and this was a clause which might suggest any variety of topics to be discussed in every conceivable manner, and at any conceivable length. As it was, the Committee had been exactly four and a-half hours discussing one line of the clause; and he thought they must all feel that, to put it very moderately, they had almost discussed this Amendment sufficiently to enable them to go to a division upon it. Surely four and a-half hours on one particular line was enough.

MR. T. P. O'CONNOR said, the right hon. and learned Gentleman (Mr. Gibson) had taken up a most extraordinary position. He had said that the hon. Gentleman the Member for the City of

Cork (Mr. Parnell) had stated what was substantially correct, and yet, having assumed that position, he was blamed for insisting on discussing the matter.

Question put.

The Committee *divided:* — Ayes 16; Noes 122: Majority 106.—(Div. List, No. 206.) [3.30 A.M.

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, the next Amendment which had been put on the Paper by the hon. Member for Wexford was irrelevant to the present clause, and could not be put.

MR. HEALY said, he had already stated that he did not intend to move it.

MR. SEXTON said, he wished to move, at the end of Sub-section 2, the following Proviso:—

> "Provided, That one month at least prior to making any order charging any district or portion of a district as aforesaid, the Lord Lieutenant shall cause to be published in the Dublin Gazette, and in two other newspapers circulating in such district, notice of his intention to make such order and of its effect, and any ratepayer or ratepayers of such district may at the prescribed time and in the prescribed manner, within such period of a month, appear before the Lord Lieutenant either personally or by counsel or solicitor, and show cause against the making of such order or any portion thereof, and the Lord Lieutenant may thereupon at the expiration of such period of a month either confirm or suspend such order, or vary or otherwise modify its terms as to him shall seem just."

The object of the Amendment was to secure that before any order was made by the Lord Lieutenant to levy a tax on a district, the ratepayers should have the opportunity of appearing before him and showing cause why the order should not issue, or why it should issue, to a less burthensome extent than the Lord Lieutenant intended. The Committee would understand that the order of the Lord Lieutenant might result from either of two acts—the importation of extra police into a district or the commission of crime. In the first case, the Lord Lieutenant would not proceed to an investigation, but could of his own authority send an additional force of police. Then the Inspector General would submit to the Lord Lieutenant an account of the cost of the police so sent, and the first the people would know of the burden put upon them would be the issue of the Lord Lieutenant's order. It was quite evident that the ends of justice required that the people should have some opportunity of being heard before the tax was levied. They might be able to show that the police force sent down was excessive, that the circumstances under which they were sent were not circumstances for which they were responsible, or that the area over which the tax should be levied should be increased. In the case of the commission of crime, although an investigation was to be held in the district, it left out of view several essential matters. The Lord Lieutenant would, on issuing a Commission, direct the Commissioners to ascertain whether the crime was agrarian, or arose out of unlawful combination, or whether there was reason to believe that the people in the district had withheld material evidence, or had a guilty knowledge of and complicity with the crime; and, although all these things might be ascertained and reported to the Lord Lieutenant, the people of the district might be able to show that the sum intended to be fixed as compensation was excessive, or that the district to be charged with the tax was too small, and ought to be enlarged, or that the responsibility for the crime really lay with some other district. What the Amendment meant was that before the Lord Lieutenant issued his unchangeable fiat, on which the collectors would proceed, the people should have the right to be heard; and it purposed, in the first place, that one month before the issue of the final order the Lord Lieutenant should publish a notice of his intention to make the order. He had fixed a month as the period, in order that there should be time for the intention of the Lord Lieutenant to come to the knowledge of the people, so that they might engage a solicitor or counsel to appear before the Lord Lieutenant. Moreover, it was provided by the Amendment that the intention to make the order should be made known in two of the newspapers of the district, as well as in *The Dublin Gazette;* because *The Gazette* was seen only by the official class, and if the notice were confined to that medium it would not come to the knowledge of the people. It was then proposed that the ratepayers might, at any time within the month, appear before the Lord Lieutenant to show cause against the order. As regarded the time and manner of this appearance, it was proposed that they might appear personally, or by counsel or solicitor, the object of the appearance being to show cause against the making of the order, or any portion of it. Under this Amendment the Lord Lieutenant would be able either to carry out his first intention, or to depart from or vary and modify it in any way he might think fit.

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, his attention had been called to the fact that this Proviso did not relate to the clause now under discussion. This was a Proviso purporting to introduce certain safeguards which should prevent the Lord Lieutenant making an order, or from making it in a manner deemed inexpedient; but the power of the Lord Lieutenant to make an order was contained in Clauses 15 and 16, which had been already passed; and as no reference to the power to make an order was contained in the clause under discussion, the Proviso, therefore, as only affecting clauses already passed, could not be put.

MR. HEALY rose to a point of Order. He wished to know whether it was not possible, in running through this clause, to take into consideration, in connection with the previous clauses, the phraseology, such as "in the prescribed manner," which ran through it? His hon. Friend the Member for Sligo (Mr. Sexton) proposed to deal with a certain order. That order was not mentioned in the clause; but his hon. Friend reinserted it so as to make it perfectly in Order.

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, he did not think the hon. Member (Mr. Healy) quite understood his ruling, which was that the Proviso laid down certain safeguards as to the method in which the Lord Lieutenant might issue his order, which were relevant only to the sections giving power to the Lord Lieutenant to issue that order, and that those sections had already been passed. Section 17 gave no power whatever in reference to the making of the order; therefore, the Proviso could not be taken. The next Amendment would be moved by the hon. Member for Waterford (Mr. Leamy).

MR. LEAMY moved, in page 8, line 38, after the word "thereof," to insert the words—

"Provided, That in the case of any order charging a district with any sum pursuant to section sixteen of this Act, such order shall exempt from the payment of such charge, or any portion thereof, any rateable hereditaments in such district in the occupation of any person who at the time when the crime in respect of which such charge is made was committed, was imprisoned under the provisions of the forty-fourth Victoria, chapter four."

It was unnecessary to speak at any length in support of the Amendment, for the reason that the ground on which the power of awarding compensation was claimed, and the reasons given for its exercise, was that it was to punish people who had committed crime themselves, or had screened those who had been the perpetrators of crime. It was altogether unfair to assume that a man who was imprisoned in Kilmainham Gaol could have prevented the commission of crime perpetrated while he was in durance; and, under these circumstances, it was only just that his property should be exempt from taxation, especially as, under the last Coercion Act, the Government had already punished him by keeping him in gaol, and putting him, in all probability, to great pecuniary loss, in consequence of his being taken from home and not being able to conduct his ordinary business.

Amendment proposed,

In page 8, line 38, after the word "thereof," to insert the words—"Provided, That in the case of any order charging a district with any sum pursuant to section sixteen of this Act, such order shall exempt from the payment of such charge, or any portion thereof, any rateable hereditaments in such district in the occupation of any person who at the time when the crime in respect of which such charge is made was committed, was imprisoned under the provisions of the forty-fourth Victoria, chapter four."—(*Mr. Leamy.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT asked whether this was not also an Amendment relating to the order? It seemed to him to be prescribing the form of the order, as far as he could gather from hearing it read; but it was difficult to see exactly what was the effect of these Amendments, which were not upon the Paper, but were furbished up at the moment in order to make further obstruction to the Bill.

MR. LEAMY rose to Order. He wished to ask whether the right hon. and learned Gentleman the Home Secretary, in rising to a point of Order, and to ask the opinion of the Chairman as to whether the Amendment was in Order, was himself in Order in charging him (Mr. Leamy) with furbishing up this Amendment for the purpose of obstructing the Bill?

The DEPUTY CHAIRMAN (Mr. Courtney) said, with respect to the point of Order as to whether the Amendment could be received, he had given it his best attention, and he thought that, although it was somewhat informal, it was substantially relevant. The clause under discussion referred to the incidence of the charge on certain persons, and the essential part of the Amendment was to exempt from liability those who, at the time the crime for which the charge was levied was committed, were imprisoned under the provisions of the Act 44 *Vict.*, c. 4.

Mr. GRAY wished to have the Chairman's ruling in respect to the other point of Order. He had always understood that to charge an hon. Member of that House with Obstruction was out of Order.

Sir WILLIAM HARCOURT said, he was afraid that the remark to which reference had been made was an act of disorder which it would be his duty frequently to repeat. An Amendment more trifling with the Committee than that which had just been moved could not be conceived. He could imagine no possible object it could be expected to serve, save that of unnecessarily delaying the progress of the Bill. It was clear that such an exemption as the Amendment proposed would apply to everybody who happened to be temporarily absent from his business from any cause whatever. If the clause would apply to persons in Kilmainham, the presumption would be that they had something to do with the crime committed in their districts, and it was also to be assumed that they had in their houses persons connected with them whom it was quite as necessary to impress with the desirability of stopping crime as in the case of those in confinement. Therefore, every possible reason by which the clause could be justified would apply far more to those who were in Kilmainham than to anyone else.

Mr. HEALY said, the right hon. and learned Gentleman took a singular view when he said that people who were confined in Kilmainham were more likely to be engaged in the commission of crime than others. He (Mr. Healy) thought they had all heard of the Treaty of Kilmainham. ["Order!"] Of course he was out of Order in alluding to that, and equally, of course, the Government, in releasing three Members of that House who were in Kilmainham, released those whom they believed to be engaged in the commission of crime while there. Such, at least, was the argument presented by the Government; and it followed that the longer they were there, the more crime they were responsible for. He should like to have it on the authority of the Home Secretary whether he believed those hon. Members who were in Kilmainham were engaged in the commission of crime while there? If he could not say that they were, how could it be said of those poor occupiers of holdings, who had been in gaol nearly the whole time the Coercion Act had been in operation, and who could not possibly have had either hand, act, or part in the crime that had been going on while they were in confinement? He would remind the Committee of the pretext on which that Coercion Act was obtained. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster)——

Mr. LYULPH STANLEY rose to Order. He wished to know was the hon. Member (Mr. Healy) in Order in going into the Coercion Act of last year?

The DEPUTY CHAIRMAN (Mr. Courtney) said, he was waiting to see what connection was made out before interrupting the hon. Member.

Mr. HEALY said, he had been about to state that the right hon. Gentleman who had obtained the Coercion Act had asserted that it would be the means of breaking up the murdering gangs who infested certain districts in Ireland. But what had they found since that Act was passed? Why, that crime still continued as rife as ever, notwithstanding all the arrests that had been made by the police, and the length of time a large number of persons had been kept in gaol.

Mr. REDMOND said, he thought it would be acknowledged that, during the progress of these clauses in Committee, the Irish Members had done nothing tending to heat the debates. He regretted, however, the tone and temper of the speech of the Home Secretary, and protested against the statement of the right hon. and learned Gentleman that the Amendment before the Committee had simply been proposed for purposes of Obstruction. He (Mr. Redmond) certainly regarded the Amendment as a most reasonable one, and was convinced that the hon. Member (Mr. Leamy), who had moved it, had done so in a spirit of perfect good faith. The Home Secretary seemed to think that the fact that certain men were imprisoned in Kilmainham was to be taken as proof that they were engaged in the commission of crime. The course of events, after the arrest of these men, showed the contrary. He was entitled to say that events before and after those arrests were a proof that the men so arrested had, while at liberty, been a restraining influence on the people in the prevention of outrage and crime. [*Laughter.*] That statement excited the laughter of hon. Members opposite, and he did not expect they would agree with him; nevertheless, he would point out to them a fact which their laughter could not gainsay, and which they would not be able to deny, and that was that so long as the persons who had been imprisoned at Kilmainham were allowed to remain at large among the Irish people crime of a horrible character had not been so frequent as it had become during their incarceration. Notwithstanding the interruptions, which were totally irrelevant——

MR. BORLASE: I rise to Order. We have not before us the words of this Amendment, and I wish to know if, on this occasion, the whole question of Kilmainham and the Kilmainham Treaty can be raised?

MR. REDMOND said, he was not discussing "the whole question of Kilmainham," whatever that meant in the rather confused mind of the hon. Member. He was discussing the clause and the narrow point whether from this tax to be imposed those men should be exempt who, at the time the murders were committed, were not in the locality; and he was endeavouring to point out that he believed if these men had not been in the custody of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) they would have used their influence for the prevention of crime, as they had done before they were arrested. ["Oh, oh!"] He would not allow himself to be drawn by these interruptions into an acrimonious discussion. He was anxious to deal with the matter fairly, and he wished hon. Members on the other side of the House would endeavour to deal with it in the same way, because the course they were pursuing did not add to the advantage of the Committee or the dignity of their proceedings. He wished to point out that the men they asked to have exempted were men who could not be said to be responsible for any of the crimes for which the charge was to be imposed. They could not be said to be responsible for the withholding of evidence, and those were the only two things which afforded the Government any justification for their proposal. After all, it could not be denied that the whole justification of the clause was to be found in the desire there was to impose a certain amount of punishment, in order to mark the sense of the Committee as to the guilty knowledge of these people in regard to the commission of these crimes. As he had said, the men whom they now sought to exempt could not have had any guilty knowledge, or have withheld any evidence that would lead to the detection of the persons who perpetrated the crimes. He would also remark that the proposal of making exception was not so absurd as the right hon. and learned Gentleman seemed to suppose, because the Government, with the assistance of hon. Members below the Gangway on that side of the House, had taken power to exempt from the fine any individual they might think fit. Surely, if that was justifiable, they were equally justified in asking to have an exemption made in the case of men who could not possibly have had any act or part in the commission of the crimes for which the charge was made. As he only rose to protest against the spirit that was sought to be imported into the debate by the Home Secretary, and to express his opinion that it was a reasonable Amendment, he would not further prolong the discussion.

MR. SEXTON said, he did not think it necessary to waste any time over the observations of the Home Secretary. If the Amendments were just in themselves, no assertion such as had been made would have any effect. The Home

Secretary stated that an exemption granted to a person in Kilmainham would equally apply to any truant person from the district. There was a difference, however, and it was this—that any truant person might have gone away of his own accord, whereas a person taken away by the police and imprisoned could not be said to have left the place of his own accord. The right hon. and learned Gentleman also stated that the men imprisoned in Kilmainham were persons guilty of the offence of incitement to crime, but those who had studied the list of "suspects" knew that the majority of them were only suspected of intimidation. Out of 180 in prison 60 were not suspected of incitement to crime, but of offences of a minor character; and it was notorious that hundreds of men had been imprisoned who were not suspected by the Government of being concerned in any sort of crime. That being so, he thought it was extraordinary that the right hon. and learned Gentleman should have made such a statement. The theory of the Government was that persons were to be fined because of their near vicinity to the place where the crime was committed, and what the Irish Members claimed was that persons taken out of the district by force and kept in gaol could have no knowledge of the crime, and, therefore, ought not to be made responsible for it in any way.

Question put.

The Committee *divided*:—Ayes 15; Noes 109: Majority 94.—(Div. List, No. 207.) [4.10 A.M.

Mr. PARNELL moved, at the end of Sub-section 2, after the word "thereof," to insert the words—

"Provided, That where the occupier of any holding has applied to the Court under the provisions of the Land Law (Ireland) Act to fix a fair rent, no portion of the charge shall be apportioned pending the fixing of such judicial rent."

It was well known that there was a block in the Land Court, and that a vast number of the smaller tenants were paying, or were attempting to pay, rents which, when they came up for adjudication before the Court, would be pronounced to be excessive; but, owing to a defect in the Act, which it was not necessary for him to describe specifically, they would have to continue to pay the old excessive rents until the judicial rent was fixed and the decision of the Court given. Now, it had been the boast of the Liberal Party—but he was afraid it would no longer be possible for the Liberal Party to continue that boast—that the policy adopted after the General Election of 1880——

Mr. WARTON rose to Order, and submitted that the Amendment could not be put, for the reason that the Committee had already passed the place where it could possibly have been placed. They had passed the words "other than those of the Lord Lieutenant," which came before this Amendment by exactly one line.

The DEPUTY CHAIRMAN (Mr. Courtney): I must ask the hon. and learned Member to point out to me the words that come before that are said to exclude this Amendment.

Mr. WARTON said, the Amendment of the Home Secretary, which had been adopted, was to insert after the word "district," the words—

"Other than those exempted by the Lord Lieutenant in pursuance of this Act."

So that the Committee said by that only certain hereditaments could be exempted. Therefore any Amendment attempting to make any exemption other than those made by the Lord Lieutenant was contrary to the words they had already passed. Only the Lord Lieutenant could exempt, and only on the breach of the 15th clause. No other exemption was admissible, and they had passed the place where such exemption could come.

Mr. HEALY, on the point of Order, submitted that, supposing the point of the hon. and learned Member for Bridport (Mr. Warton) were good, which, of course, it was not, the Amendment of his hon. Friend the Member for the City of Cork (Mr. Parnell) would not have made sense of the particular place to which the hon. Member referred, and the Chairman would accordingly have ruled that it was out of Order.

Mr. GRAY, on the point of Order, pointed out that the Chairman had permitted the Committee to divide upon an Amendment proposing to exempt certain persons; and if that had been out of Order the Chairman would not have permitted the division to have taken place.

Mr. PARNELL said, he might add to the observation of his hon. Friend the

Member for Carlow (Mr. Gray) on the point of Order, and in reply to the point raised by the hon. and learned Member for Bridport (Mr. Warton), that the matter referred to in the objection was a "district," and the subject referred to in the present Amendment was a "person." He thought they were precluded from adding Provisoes exempting districts, but he submitted they were not precluded from exempting persons.

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, the objections raised by the hon. Member for Carlow (Mr. Gray) and the hon. Member for the City of Cork (Mr. Parnell) were perfectly regular in so far as they related to Amendments of the same kind; and he must take the entire blame to himself for allowing such Amendments to be put. If he had had the corrected Bill before him he should not have allowed them. It appeared to him the objection raised by the hon. and learned Member for Bridport (Mr. Warton) was right, and, therefore, the Amendment could not now be put.

MR. HEALY moved, in page 9, line 7, after the word "same," to insert the words—

> "Provided, That no such such charge shall be levied by distress."

The 3rd sub-section gave exactly the same power of levying under this clause as in the case of the Grand Jury cess, because it said—

> "Every person so appointed collector shall, for the purpose of such collection, have all the powers, authorities, and remedies given by law to the collector of the Grand Jury cess."

The question of levying by distress had frequently been debated in that House, and the whole Liberal Party were committed to a repeal of the law. Moreover, he would point out that the Law of Distress was simply a barbarous remedy, and it only remained upon the Statute Book because the House of Commons were too much occupied in passing Coercion Acts for Ireland to take it off. Under this Law of Distress the collector could go upon the land and seize the goods; but if carried out under this provision, as he proposed to amend it, the tenant of any holding would be able to compel the collector to produce a magistrate's order giving authority for the seizure. In Ireland they were told the people were an excitable people, and specially liable to be led into crime; and if this were really a Bill for the prevention of crime in Ireland, how undesirable it was that power should be given under it to a person to enter and seize a man's stock—his one cow perhaps. He moved this Amendment in the interests of the peace of a district, because there was no doubt that the levies would fall upon a certain class of tenants, and there would be resistance and turbulence, and on that ground he would ask the Government to accept the Amendment. All that he asked by the Amendment was that the person making the levy should be provided with a magistrate's order, and surely that was not too much to ask for. He would also remind the Government that there had been many instances of riots and disturbances—not in Ireland, but in this peaceable country called England — which had occurred when levies had been made upon the goods of poor persons, so that it was evident that riots and disturbances were the natural outcome of this law.

Amendment proposed,

In page 9, line 7, after the word "same," to insert the words "Provided, That no such charge shall be levied by distress. — (*Mr. Healy.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, it was a condition, as far as he knew, that all charges upon land should be levied by distraint. This was a charge upon land, and he could see no reason why it should be dealt with in a different manner.

MR. HEALY said, that what he asked the Government was this—that so far as they were committed to the abolition of the Law of Distress—[Sir WILLIAM HARCOURT: No, no.]—at all events, there was a great conflict upon this point, and, perhaps, the historic conscience of the right hon. and learned Gentleman had not yet ripened on this matter. All that was asked was that at an expense of 1*s*. 6*d*. a magistrate's order should be obtained in advance. In the mere case of a search warrant the person who made the search had to be provided with a warrant; but in making a distraint that was not so, though it was in the search for some miserable chattel, or some miserable article of stock, perhaps all that the tenant possessed in the world. That being so, was it to be wondered at that resistance would be made when the tenant believed the person making the seizure had no legal rights? Such resistance would lead to crime and bloodshed, and the result would be that the Government would come to Parliament for fresh powers to deal with the matter, the whole of which might be prevented by a notice of 24 hours.

Sir WILLIAM HARCOURT said, the hon. Member had confounded two very different things. The distress for rent involved a number of considerations, and what the hon. Member's Amendment alluded to was the ordinary way by which county cess was levied, and even a magistrate's order must be levied by distress in order to realize. All that was proposed by the clause was to levy the charge just as the poor rate or county cess charges were levied; and the process proposed was exactly that under which the Grand Jury cess was levied.

Mr. HEALY said, if the right hon. and learned Gentleman had been in the House when he (Mr. Healy) moved the Amendment he would have found that all he asked by it was that a magistrate's order should be obtained, so that it could be shown they had some legal right to levy. If the Government considered that his Amendment prevented the order, he was willing to amend it; but he did not think it would do anything of the kind.

Sir FREDERICK MILBANK: I rise to Order.

Mr. HEALY: Perhaps the hon. Baronet will favour the Committee on his legs. All that was wanted was that the person making the levy should show the unfortunate tenant that he had some legal right. What he wanted to prevent was the turbulence and disorder that would follow if there were no such order. They were told that this was a Bill for the prevention of crime, but he considered it was a Bill for the creation of crime, as it was evident it would cause disorder. The argument of the Home Secretary was no sufficient reason for refusing what was asked for, and he trusted that this concession would be made in the interests of the people themselves, and in the interests of peace and tranquillity; because, if the Government had no regard for peace, at least they had—["Oh, oh!"] Hon. Members said "Oh, oh!" but he would say that no one suffered more terribly by turmoil in Ireland than the Irish Party did, for the reason that they had to face the Coercion Acts which were brought about, as they were told, by crime. ["Oh, oh!"] Did the hon. Member for Wales, or Carnarvon, or somewhere in the Principality, think the Irish Members had any interests to serve in staying up to that hour (4.30 A.M.) of the night, or that they only did it for fun? It was no fun at all. It might be sport to the Government, but it was death to them.

Sir WILLIAM HARCOURT said, he had no wish that there should be undue harshness; and there was an Amendment lower down upon the Paper in the name of the hon. Member for New Ross (Mr. Redmond) which the Government were willing to accept—namely, that—

> "Any person liable to any such charge shall on demand be entitled to inspect the applotment and the warrant for the collection of the same."

Mr. HEALY said, he was glad that the right hon. and learned Gentleman had hailed the smiling morn with some appearance of concession. With regard to the Amendment before the Committee, he would point out that the person who made the seizure must have some document; and he would ask if the right hon. and learned Gentleman would agree that the person making the seizure should produce the warrant or a copy of it?

Sir FREDERICK MILBANK wished to say one word. It was all very well for the hon. Member to say that the person making the seizure should produce an order; but if 24 hours' notice were given they might depend upon it there would not be a particle of anything left to seize. The hon. Member opposite (Mr. Healy) had challenged him to "get on his legs." He had done so, and he hoped the hon. Member was satisfied.

Mr. HEALY begged to withdraw the Amendment, on the understanding that the persons who went to make a seizure should have some document or authority for making it, which they could produce.

Sir WILLIAM HARCOURT promised that that should be done when they came to the subsequent Amendment.

Amendment, by leave, *withdrawn.*

The DEPUTY CHAIRMAN (Mr. Courtney) pointed out that the next Amendment standing in the name of the hon. Member for Wexford (Mr. Healy) could not be put.

Mr. HEALY asked if the Chairman was aware that there was a provision with regard to collection which said that such applotment should be made and such charges collected by persons for the time being appointed by warrant of the Lord Lieutenant? That was the whole point of his Amendment, which provided that no person so named should receive any remuneration until he had made an affidavit that the levy had been fairly and impartially made.

The DEPUTY CHAIRMAN (Mr. Courtney) said, the proposal of the hon. Member was to fix a condition to the receipt of remuneration for undertaking the work of collection. The Proviso was—

> "That no person so named shall receive any remuneration for undertaking such collection until he shall have made affidavit before a justice of the peace that the levy has been fairly and impartially made, and that no more than the sum authorised by the warrant to be levied has been collected."

The proposal contained in the clause did not deal with those remunerations, and the Amendment was, therefore, irrelevant.

Mr. SEXTON said, the Amendment he had to propose laid down the manner in which the collector should perform his duties, and was as follows:—

> "Provided, That no proceedings for the collection of any such charge shall be taken unless at least ten days previous to the commencement of such proceedings notice in writing shall have been left at the dwelling house of the person liable to pay same, signed by the collector and bearing his address, and informing such person of his liability to such charge, and of the amount of same, and stating that, if not paid within ten days, legal proceedings might be instituted forthwith."

The object of the Amendment was to give a certain amount of time for the payment of the charge. They had heard the Government say that the effectiveness of these tax clauses would depend upon the speed with which they were brought into operation. That might be true as regarded certain taxes; but with regard to the collection of this charge he thought a little time might intervene without creating any great inconvenience to the authorities. In the case of such taxes as the Grand Jury cess and the poor rate, a considerable time was given by the collectors; but in this case a special collector, appointed by a special order from the Lord Lieutenant, might take it into his head to proceed very promptly and call upon the people to immediately produce the money, and from any such course of action as that they might apprehend the most dangerous results. The Amendment would have a double effect; it would prevent irritation, and enable the person charged to be prepared with the money. Therefore, he hoped the Home Secretary would not see any objection to the Amendment.

Amendment proposed,

> In page 9, line 7, after the word "same," to insert the words "Provided, That no proceedings for the collection of any such charge shall be taken unless at least ten days previous to the commencement of such proceedings notice in writing shall have been left at the dwelling house of the person liable to pay same, signed by the collector and bearing his address, and informing such person of his liability to such charge, and of the amount of same, and stating that, if not paid within ten days, legal proceedings might be instituted forthwith." — (*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, the effect of the Amendment would be, as had been stated by his hon. Friend the Member for the North Riding of Yorkshire (Sir Frederick Milbank), to give a notice to the people so as to enable them to get everything out of the way before proceedings could be taken. There was no sort of reason for supposing that the clause would not be administered exactly in the same way as in the case of the poor rate and the county cess.

Mr. METGE said, the Committee must not believe that county cess was levied without notice, because due notice was given in every instance, and it was only in a few cases that an extreme course was taken. He would ask the Committee if they believed that the argument used by the hon. Baronet the Member for the North Riding of Yorkshire (Sir Frederick Milbank) was correct? Was it possible that a tenant could convey away his property, and not leave behind as much as would pay the rate, in the short time of 10 days? The rate would not be more than a few shillings, therefore it was impossible to believe that the tenants would remove their things merely for the purpose of evading the law.

Mr. LEAHY said, he could not let the assertion of the hon. Baronet pass without giving it the denial it deserved. The poor rates were struck in September, and were not collected until March; and no one ever ran away with their goods to avoid payment, nor would they run away from this blood tax.

Mr. HEALY said, that now the hon. Baronet the Member for the North Riding of Yorkshire (Sir Frederick Milbank) had obtained the encomiums of the Home Secretary he (Mr. Healy) would say to him, "Never speak again;" and as to the statement that people would run away if notice were given, he must say that might be popular in Yorkshire, but it was not in Ireland. ["No, no!"] If not popular in Yorkshire, he did not know where the hon. Baronet got his ideas from. He knew himself that in the county of Waterford an agent, who had no more sympathy with the people of Ireland than the Home Secretary, and who was a collector of the poor rate and the Grand Jury cess, was in the habit of lending the people money out of his own pocket when he knew they had been unable to meet a tax, and they did not run away. The fact was, as was well known, that there was not a country in the world where rates and taxes were better paid, nor a country in the world where the people got worse value for them.

Mr. SEXTON said, the only things on a farm that could be easily made away with were the live stock, and there would still be the furniture and the crops that could be seized.

Mr. PARNELL asked the Attorney General for Ireland what was the practice pursued by the collector of county cess, and whether he could seize directly the amount became due?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Certainly he can.

Mr. PARNELL asked if it was not likely that this tax would be collected immediately?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Not necessarily.

Mr. PARNELL said, the tax would be most probably collected by the police. Iron huts would be sent down to a district with a body of police, and the police would probably make raids upon the people of the district for their own support. In his judgment, the provision would be worked in the most arbitrary manner; and those responsible for the collection would, without notice, be making raids at all hours of the day and night; for he might notice there was no limitation of time. It would be possible immediately the Lord Lieutenant sent down his warrant and it was put into the hands of the officers—who would most likely be the Constabulary—that such officers would be able to go and seize upon cattle and goods and sell them on the spot at a low rate and without advertising the sale. He asked, was it fair that the law should exist in that way? They knew that the county cess collectors, before they resorted to such summary methods, followed a regularly defined practice. They sent first of all a document containing the amount of the cess that was due and payable by the occupier, and they said when they would come themselves for the collection of the money. When the period arrived they applied for the amount, and if they did not get it they might come and seize afterwards in a summary way. That, he repeated, was the practice; but if they looked at the sub-section before them they would see that there were no provisions in it to provide for a similar mode of collection. Everything was left bare and undefined.

Sir WILLIAM HARCOURT said, the facts as to the present provision were not as the hon. Member stated; but, on the contrary, the provision was the same as in the case of Grand Jury cess. It was, in fact, expressly set forth that the persons engaged in the collection should have all the powers given by law for the collection of Grand Jury cess.

Mr. PARNELL: If that is so I shall be glad if the right hon. and learned Gentleman will put it clearly in the Bill. [Sir William Harcourt: It is in the Bill.] He did not think so. The powers referred to were to secure the collection of the money; but there were no safeguards to limit and prescribe the exercise of the powers thus conferred in such a way that hardship would not be inflicted. He might say that he was not so familiar with the circumstances as to be able to say whether the safeguards he alluded to in connection with county cess were in the law, but he knew them to be in practice.

Sir WILLIAM HARCOURT said, that he would have no objection to meet the hon. Member on this point, and to provide that the charge should be levied in like manner to the county cess.

Mr. T. P. O'CONNOR said, that his hon. Friend the Member for the City of Cork, and the hon. Member for Kildare (Mr. Leahy), whom he had consulted, said that something like 10 days' notice was given by the collector of county cess; but the notice appeared to be an act of grace on the collector's part, and not a boon conferred by Statute. It was, therefore, plain that if the right hon. and learned Gentleman put words into the sub-section which would have the effect of making the collection of that tax the same as the collection of county cess, they might still not have the same practice pursued, and have the notice dependent on the indulgence of the collector. He, therefore, asked the right hon. and learned Gentleman to make the giving of notice a statutory obligation.

Sir WILLIAM HARCOURT said, that he wanted to make it quite clear what he intended. He meant to provide that the legal method of the collection of this charge should be the same as the legal method in connection with county cess. It might, of course, be proper that in the collection of such rates notice should be given by the collector, if it were thought safe, to grant indulgence in the case; but that was a different thing from making the indulgence a statutory obligation. He should, therefore, propose that the method of collection should be the same as that described in the 152nd section of the Grand Jury Act.

Mr. PARNELL: Will the right hon. and learned Gentleman read the section?

Sir WILLIAM HARCOURT replied that it was too long; but he would pass it over to the hon. Member for the City of Cork, suggesting that he might himself peruse it.

Mr. METGE said, that it was clear the difficulty was about the notice. In the case of county cess, the cess was struck for a certain day in the year, and was legally required to be paid on that day. The collectors gave notice to those liable to pay; but the cess was seldom paid on the first notice, and they therefore gave a second, and sometimes a third notice. Moreover, in extreme cases they allowed the time to outrun, and paid the money out of their own pockets, trusting to the people to pay up afterwards. If, therefore, the right hon. and learned Gentleman wished to make the collection under the sub-section before them act in the same way, a day should be fixed for the payment of the charge.

Mr. JUSTIN M'CARTHY said, that it was to be remembered that there was a great difference between the collection of this tax and the collection of county cess. In the latter case, they had a charge raised with the consent of the people; in the former, they had a punitive tax, and there was a temptation that those engaged in its collection might be tempted to be arbitrary, and regard their conduct as a part of the punishment. That was, at least, possible; and there was, therefore, some reason why there should be stringency in the conditions of the collection.

Mr. LEAMY said, that he concurred in the opinion that the tax was arbitrary in regard to the collection. If a man were suddenly applied to and had not the money to pay, but found his cattle at once seized upon in consequence, it would be a great hardship. For this reason, notice of some kind should be given.

Mr. T. P. O'CONNOR said, that he had just now looked over the Statute relating to county cess, and he saw that the collector could collect it at once. It was, therefore, clear that the notice was a matter of grace. This, however, was not what they wanted in the present case, but that fair indulgence should be given. As a matter of fact, the collection of this tax might be made of the most harsh character, much more so than would happen in the case of the county cess, which was struck on a certain day, the day being advertised, and the tenant having, at least, a month's notice of the legal time of payment, and, in addition, several days' indulgence from the collectors.

Mr. PARNELL said, that the suggestion of the Home Secretary practically left the matter where it was. They wanted the general practice of the county cess collectors to be made obligatory on the collectors of this new tax. They were entitled to ask that notice should be given, and he did not think that there would be any risk to the collection if such a course were pursued. In the case of persons who had stock to seize, the tax would not be such a fine as would render it worth their while to drive their stock away to avoid seizure for refusal to pay; and as regarded the smaller class of tenantry, they would, practically speaking, have no stock to seize. He thought, therefore, that the Home Secretary should consider the matter, and say whether he would insert some such Proviso as was recommended on Report.

Sir WILLIAM HARCOURT said, that he agreed that before the officer made the demand the people should have ample notice; but the general warrant would be published in the form that was prescribed, and could be given in *The Dublin Gazette*, and one or two of the local papers, so that the locality might know that the charge was to be made, and that the people might provide for it. It might also be an instruction to the collectors that they should collect generally in the same way as county cess was collected. They could not, however, make this a statutory obligation, for he could conceive that if a collector, even of county cess, thought that a man was going to bolt, he would use his power of distress to insure payment. That was what he must be able to do in this case if necessary; and the power was perfectly proper and right.

Mr. PARNELL said, that he wanted to provide that when the levy was made and the fine was settled by the Lord Lieutenant, the collectors should furnish the person upon whom the levy was to be made with a document informing him of the amount—and, of course, that document would be furnished in the same way as the county cess document was furnished some time in advance. This really would not assist the people to avoid payment in the slightest degree, because the officers, in the event of the failure of payment, could make the seizure at any time. Thus, if a person did move his cattle, it was probable that he would bring them back, and when he did the seizure could be made. As a matter of fact, therefore, the risk would be slight.

Mr. METGE said, that he was still of opinion that the Amendment might be accepted.

Mr. GRAY said, that it was also desirable that before this levy was made or these proceedings taken there should be legal evidence that all the preliminaries had been complied with. They would not be so anxious in that matter if the Bill provided that the collectors of county cess were also the collectors of the tax under this sub-section. They would then assume that the collectors would go through the same forms; but special officers were to be appointed, probably Constabulary officers, who would adhere to the bare regulations contained in the Act itself, and if so more hardships would be inflicted. It was true that they might publish the notice in *The Dublin Gazette* and the local papers, but it would not thereby reach many of the poorest and most ignorant of the tenants. They should, therefore, have some assurance that notice would be given to the individuals, as was done in the case of county cess, or he might also say, the Income Tax.

Mr. PARNELL: I suppose we may understand that that is the right hon. and learned Gentleman's view of the matter.

Sir WILLIAM HARCOURT: Yes; as a general instruction.

Mr. SEXTON said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. Shaw Lefevre in the Chair.

[5.30 a.m.

Mr. SEXTON moved in page 9, line 7, after "same," to insert—

"Provided, That no person shall be appointed collector under this section having any pecuniary interest in the proceeds of the levy."

He said that the clause afforded no assurance as to the persons to be appointed to collect. Those appointed to that kind of office in Ireland often belonged to the governing classes, and if anyone belonging to that class were injured, and the injury had to be compensated for under the clause, the person collecting might, if he were interested in so doing, be inclined to press matters too hardly.

Amendment proposed,

In page 9, line 7, after the word "same," to insert the words "Provided, That no person shall be appointed collector under this section having any pecuniary interest in the proceeds of the levy."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, that it was not very easy to understand what was intended to be the scope of the Amendment. If it meant that a person on whose behalf a levy was made should not himself be the collector, he did not think it would be necessary to put it in the Bill, for there would not be the smallest probability of such a thing taking place. On the other hand, if the term "pecuniary interest" were to be applied—as in the ambiguous form of the Amendment it might be—to those for whom, as a class, the charge was required, the absurdity of the proposal would be equally great, for even in the case of county cess the ordinary collectors might be said to have an interest in the levy.

Amendment, by leave, *withdrawn.*

MR. T. P. O'CONNOR moved, in page 9, line 7, after "same," to insert—

"Provided, That a warrant under this section shall not be in force for more than one year from the date thereof."

He thought that it could not be doubted that these warrants should not be held over the heads of people for more than 12 months, and that in that time the warrant should be considered to have spent itself. To make it run for more than 12 months was very likely to prevent a return to that tranquillity which the clause was intended to restore.

Amendment proposed,

In page 9, line 7, after the word "same," to insert the words—"Provided, That a warrant under this section shall not be in force for more than one year from the date thereof."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that the Amendment could not be accepted. The desire of the Executive would be to make the operation of the warrant as easy as possible, and if the amount were made payable in instalments it might be spread over two half-years or three half-years. This plan, however, would be defeated if the Amendment were accepted.

MR. HEALY said, that there were some points in the right hon. and learned Gentleman's remarks; but he asked whether there was any objection to stating in the warrant the time for which it would run?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that this was provided for in the prescribed form of the warrant.

MR. METGE said, that the right hon. and learned Gentleman now appeared to hold that the instalments should act as easily as possible; but he said earlier in the evening that the charge would be a penalty on the district, and his statements, therefore, were not quite consistent.

Amendment, by leave, *withdrawn.*

MR. REDMOND moved, in page 9, line 7, after "same," to insert the following sub-section:—

"Any person liable to any such charge shall on demand be entitled to inspect the applotment and the warrant for the collection of same."

Amendment proposed,

In page 9, line 7, after the word "same," to insert the following sub-section:—"Any person liable to any such charge shall on demand be entitled to inspect the applotment and the warrant for the collection of same."—(*Mr. Redmond.*)

Question proposed, "That those words be there inserted."

MR. HEALY said, that the Amendment did not express with sufficient clearness what the Home Secretary promised earlier in the Sitting. He assumed that the hon. Member would have no objection to amend it, to provide that the warrant should be produced at the time of the seizure. The Amendment only said that the person should have the right to inspect the warrant; but nothing was said as to the time and place, and the opportunity of inspection might even be offered to him after the seizure, and at Dublin Castle.

SIR WILLIAM HARCOURT said, that the term "on demand" meant instantly, and he could not see how the difficulty the hon. Member referred to could arise. They might put in words to the effect that the person should.

"On demand, 'before the execution of the warrant,' be entitled to inspect the applotment and the warrant or a copy thereof."

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 9, line 7, after the word "same," to insert the words—"Any person should on demand before the execution of the warrant be entitled to inspect the applotment and the warrant or a copy thereof."—(*Sir William Harcourt.*)

Question, "That those words be there inserted," put, and *agreed to.*

Mr. HEALY moved, in page 9, line 7, after "same," to insert—

"Provided, That no person shall be appointed as a collector under this section unless such person would be eligible for appointment as high constable and collector of grand jury cess."

He said that they were surely not going to appoint policemen to collect this money. In his opinion, the acceptance of the Amendment would not weaken the clause, and he suggested that as they were now getting on nicely the Government should accept his proposal.

Amendment proposed,

At the end of the foregoing Amendment, to add the words—"Provided, That no person shall be appointed as a collector under this section unless such person would be eligible for appointment as high constable and collector of grand jury cess."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT said, that he did not take the view that they were getting on nicely; but if such were the opinion of the hon. Member, perhaps he would withdraw the Amendment.

Mr. HEALY asked what were the views of the Attorney General for Ireland in the matter?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, that they could not fetter the discretion of the Lord Lieutenant.

Mr. HEALY said, that they heard continually of the inconvenience of extra duties being put upon the police, and that was a cry often raised by the Conservatives, who had only recently complained that owing to the energies of the police being diverted the caretakers had been abandoned. But an additional burden appeared to be contemplated in the collection of this miserable blood tax. Of course it was said that the Lord Lieutenant must not be fettered, but the Bill fettered him from first to last, and if they did not want him to be fettered they had better pass a measure for him to be allowed to do what he liked for three years—a proposal which might be very agreeable to the hon. Member for Stroud.

Mr. GRAY said, that it was important that the police should be excluded. As a body, they were highly respectable men, and he would be sorry to say anything against them. If, however, they appointed policemen, giving them a poundage rate on the collection, in addition to their salaries, it would become a matter of ambition with them to be appointed collectors, and it would be a matter of interest with them not to put down crime.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, that no difficulty or dissatisfaction arose from similar provisions in the Act of 1870.

Mr. HEALY said, that then the case was different, for the Grand Jury appointed the collectors.

Mr. T. P. O'CONNOR said, that of all persons that they could select for the collection, the most unfit would be the Constabulary, who, during the last few years, had been made to do very disagreeable duty in attending evictions, and were already unpopular from having been brought into frequent collision with the people. Another point to be noticed was the fact that large sums of money might have to be collected. The remuneration for the collection would depend on a poundage, and accordingly the collector would have a pecuniary interest in getting all he could; whilst, at the same time, for his remuneration as a constable, he might not be a very proper person to entrust with the large sum that he might be required to obtain.

Mr. HEALY asked whether it really would be the police who would carry on the collection?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) replied, that it would most probably be the police.

Mr. GRAY said, that the Act of 1870 extended over a small area, and no comparison could properly be drawn between cases under it and what would arise under the present measure. Besides, the Lord Lieutenant and his advisers would, in making the charge, practically act on the Report of the officers who would have to obtain the money, and who would thus have an interest in having it fixed as high as possible. Surely there were sufficient proper persons to select for the collection without selecting those that were least fit.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that, personally, he was satisfied that the collection would go with much more smoothness if the police, rather than anyone else, were appointed for the work,

MR. REDMOND said, that he was anxious that this duty should be fulfilled by ordinary county cess collectors; and they had more than one reason for that. They objected to the police, not only on the grounds stated by the hon. Member for the County of Carlow (Mr. Gray), but also because, if the collection were made by the county cess collectors, they would give the same notice, and collect in the same way, as they did in the case of county cess. He asked the right hon. and learned Gentleman for an assurance that the Government would consider the appointment of cess collectors to collect the tax. It was most objectionable on every conceivable ground that the persons so appointed should be policemen.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, of course he would take care that the matter should be considered, but his own opinion was that cess collectors would not undertake to do the duty.

MR. REDMOND said, he was sorry to hear the right hon. and learned Gentleman give expression to such an opinion.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he had pointed out that he did not think cess collectors would be chosen. Instead of sending collectors with police to protect them, it would be better to employ the police to collect.

MR. REDMOND objected wholly to that, for it implied that there were districts in Ireland where crime was committed, and where the district was so demoralized that no man could be found to collect a rate there. ["Hear, hear!"] He did not complain of the cheers with which he was interrupted, because they came from Englishmen; but he did protest against the expression of such an opinion by an Irishman who filled the post of Attorney General. It was monstrous that he should be allowed to mislead English Members by the expression of an opinion of that kind. At that moment there was not a district in Ireland where a man might not safely go and collect a tax. He must ask the Chairman to use his authority to protect him against the interruptions of English Members, who did their best to import heat and bad blood into the discussion; and their efforts were sometimes too much for the tried patience of Irish Members to keep their temper. The disorderly interruptions had only one intention—to precipitate some kind of a scene, and to throw discredit on the Irish Members. But if they succeeded in producing a scene, the discredit would be upon the Committee, and not upon the Irish Members, who, in these trying times, had striven to keep their tempers.

MR. T. P. O'CONNOR denied the Attorney General for Ireland's statement, and challenged him to give one case in Ireland where collectors of county rates or poor rates had a single difficulty in making their collections. The concession of the Home Secretary with regard to the previous part of the clause absolutely established the justice of the proposal of his hon. Friend, for the right hon. and learned Gentleman had conceded that the tax should be collected in the same way as the county cess; and, if that was to be so, who were better able to be collectors of this blood tax than the collectors of county cess, who were in the habit of doing the duty? The Attorney General for Ireland must be unacquainted with the position taken up by his right hon. and learned Colleague. But the Committee had reason to be thankful, perhaps, for the frankness with which he had stated his opinion and intention that policemen should be employed. That threw a flood of light on the proceedings. The Government would investigate the matter, said the right hon. and learned Gentleman; but he forgot that, under Clause 15, it would be necessarily the police who would invite the action of the Lord Lieutenant, and by their own reports the local police would be placed in this position—that the same men would have the onus of collecting the tax their report imposed upon the people. If the Bill was bad, and would be exasperating in its effect, a better policy could not be found for increasing that.

Question put.

The Committee *divided*:—Ayes 14; Noes 109: Majority 95.—(Div. List, No. 208.) [6.10 A.M.

Mr. HEALY wished to insert an Amendment in line 7 of the clause, to the effect that the expenses of a summons for the charge should not exceed 5*s*. It was usual, in a summons for small debts, that the costs should not be more than 5*s*.; and, on the whole, he thought it would be wise for the Government to make the same provision in these cases. If the levy had to be enforced, as it were, at the point of the bayonet, it followed that the man resisting it would be a poor man, for no man would be so foolish as to defer the payment of the claim if he had the money to meet it. Supposing a man had to sell part of his stock, or of his furniture, to meet the demand, then he must have time to do this; and he thought the Government should make this as light for the unfortunate man as possible, and the Home Secretary had implied that the levy would be sometimes excessive.

Amendment proposed,

At the end of the foregoing Amendment, to add the words—"Provided, That in case any person is summoned before a justice to enforce payment of any such charge, it shall not be lawful for such justice to award more than five shillings as the costs and expenses of any such summons."—(*Mr. Healy.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT said, he hoped hon. Members would be consistent in admitting that the business of making these collections should be on the same footing as the county cess. There was no such provision as this in connection with the collection of county cess; it was in the discretion of the Justice to say what costs should be paid. In reference to one or two Amendments, the Government had undertaken that the form of levy should be as nearly as possible that of the county cess, and on the same conditions.

Mr. HEALY said, he would accept that principle if the right hon. and learned Gentleman would agree to it all round; but the Committee had just defeated an Amendment in that direction—namely, that the tax should be collected by the collectors of county cess. Having voted that down, the right hon. and learned Gentleman now asked the Committee to proceed, as if they had been sleeping all the time. He would not complain if the Government accepted the principle, but they were not doing so. Another point was this—the magistrates would be apt to view this on a very different principle to the ordinary levy of county cess. It was quite true that in recovering this last there was no limitation of costs; but they would look at the matter differently, and there would be no limit to vindictiveness, and the magistrate would be less likely to show fair play to individuals. The collection of the poor rate was a mere abstract question exciting no feeling, and, though a question of malicious injury might arise, they were not such cases as would come up in this case. He was appealing for a most miserable class. The Committee had no idea of the condition of those who would suffer under this tax, of the miserable lot of these unhappy serfs on the mountain side, for it was in these miserable districts that the murders were committed. If any Gentleman would go to where the murders were committed they would find the most miserable tenants on the face of the earth. Why, then, grind these miserable wretches? The House was unpopular enough in Ireland, and English law was hated enough there without making it worse. Why, he was trying to popularize the British connection by his Amendment—though he confessed that was rather a stiff thing to undertake—and let the Committee show a little fair play. Surely 5*s*. was enough costs in which to mulct these unfortunate men.

Mr. LEAMY said, if the Home Secretary would not accept this, let him state what he would do. If an unfortunate man was summoned, he would have to come to Petty Sessions, perhaps from a long distance; he would lose his work during the time he was there, and it would be quite hard enough to have the decree enforced at all. He supposed there would be no necessity for the employment of a solicitor, and the amount under the Amendment of his hon. Friend would be quite sufficient to cover the costs in every way. The costs would be really only the expense of the stamp and the cost for serving the summons.

Mr. GRAY said, unfortunately, in the rural districts of Ireland the magistrates were all taken from one class, a class known to be in decided antagonism and hostility to the tenantry, though he did not mean to insinuate that invariably or frequently magistrates on the Bench, even though they were landlords, would be influenced by a vindictive, hostile feeling to the class they imagined might have injured them; yet certain cases might arise in which a landlord might impose vindictive costs on an unfortunate tenant brought before him. It would be the poorest class who would be proceeded against in this manner, for no man who could pay the levy would like the case to go to Court, for that would simply add to the cost; it would be a class to whom a few shillings would be of the greatest moment. The levy might be assumed to be very small. Sometimes the levy itself would not amount to the costs which even under this Amendment would be imposed on the tenant; and, surely, if the right hon. and learned Gentleman would not accept this, he might name some limit to protect the tenant against injustice that in some cases would be inflicted by landlords who were also magistrates, and who could not forget on the Bench their position outside. The Small Debts Act afforded a fair example of this class of legislation. It might not be necessary to name a sum for all cases, for a wealthy man might, for some reason, like to fight it out in Court; but if the Government would say some percentage, that would, perhaps, meet the case, but some limit should be given to protect the poorest classes, on whom these levies would be made.

MR. TREVELYAN said, undoubtedly, in most of the cases, 5*s.* would be reasonable costs; but there was one consideration the Committee would do well to remember, and which really ought, in the opinion of the Government, to govern this controversy. Of late there had been many cases of resistance to the payment of legal claims in Ireland, and resistance to the payment of claims and debts had, in certain cases, been considered by those who resisted a matter of principle; and it must be recognized that resistance to these claims might be considered a matter of principle too. Now, the means of overcoming that was by legal proceedings and the infliction of costs; therefore, it seemed undesirable—while he had every reason to believe that the Bench would not bear hardly on poor persons—it was extremely undesirable to fix a limit to costs by law. While the hon. Members for Wexford (Mr. Healy) and Carlow (Mr. Gray) were talking with full knowledge of Ireland, and with great and just sympathy with a class of people they understood, the Committee must remember it was not only the poor people who resisted for 18 months the payment of legal claims. Without entering into a controversy on their action, it was absolutely the fact that some of the richest men among the tenant-farmer class had been among the leading people in resisting the payment of legal debts. It was against this class that the Court would have the discretion of inflicting costs, and it would not be directed against the poorer class to whom the hon. Members referred. As regarded the manner in which this business of collection was to be conducted, it was a matter on which, in the course of the last two days, he had said much, and on which a long discussion had taken place; but he did not believe that this clause would ever be used for vindictively inflicting suffering on the poorer classes of tenants.

MR. HEALY said, he was quite ready to meet the Chief Secretary in so far as he had gone. He stated that this tax might be resisted by the wealthier tenants; then, would he except these and restrict the limitation to holdings of a £30 valuation? As to the principle of resistance to just debts, let him remember there was a yet stronger principle—that of poverty. Would the right hon. Gentleman adopt the limitation in the Arrears Bill—a £30 valuation? He was willing to go lower, and take anything he could get. He was quite ready to make the proposal that in cases where the valuation was not over a certain limit the costs should not exceed 5*s.*, say in cases of holdings rated under the Act for the valuation of rent and property at a £30 valuation, so that the unfortunate tenants on unproductive mountain sides should not have heavy costs thrown upon them. It was all very well to say the magistrates would act leniently; they would not, and they were not to be trusted any more than the "Great Unpaid" in England were by hon. Members opposite. He trusted the Government would see their way to accepting something in the nature of this Amendment. Surely the Small Debts Act, if it had any force at all, should apply to these cases. The Attorney General for Ireland said that he would desire to apply this levy as moderately as possible, and he even spoke of dividing it into three instalments; and if the Government were willing to act leniently in this way, why not do the same in the matter of costs? The cases where a man of property thought it worth his while to resist legal pressure would be only 1 in 1,000.

Mr. SEXTON said, the Chief Secretary had spoken of the resistance to legal debts on the part of the richer tenants, and the first observation in reply to that was, that his hon. Friend had offered to accept an Amendment that would limit this special protection to the poorer tenants. It was not asked that really wealthy tenants should be protected by the Amendment, and there was no objection to rendering them liable to costs at the discretion of the Courts; but he asked that tenants in an obviously poor and wretched condition should have the protection of the Amendment. The second observation to the Chief Secretary's remarks was that resistance to debt had been resistance of one man to another, and, so far as he knew, there had been no resistance made to demands on behalf of the State. The debt to be demanded under this clause would be a debt to the State, and the reason why he was entitled to draw a distinction between this class of debt and another was that he was not aware of resistance to either the Grand Jury cess, or the poor rate, or anything in the nature of a public application. It had been said by the Home Secretary that in the case of summons for county cess in Ireland, costs were levied at the discretion of the magistrates; but in reference to county cess or poor rate there was reason for this discretion. These did not raise any new impost, for county cess and poor rate were parts of the ordinary obligations of citizens in every year; and every person of forethought and prudence might reasonably be expected to provide for these obligations; and there was nothing unreasonable to charge him with costs in proportion as he neglected that duty. But the charge under the Bill would be in an altogether different position. It would not form part of the ordinary obligations of a citizen, or a charge that a citizen had a right to expect would be thrown upon him; it would be an unforeseen burden, an oppressive demand that would fall heavily and unexpectedly on the poor people of Ireland, ignorant men, perhaps, but who would know they never should have been liable for it; persons who detested and abominated crime from the bottom of their hearts, and had no sympathy with agrarian or any other form of outrage. So, then, there was a strong case for those who said that, in addition to the claim demanded, the costs should be as light as possible.

Mr. CALLAN said, he was surprised that the Government should waste time over such a trifling Amendment as this. The Committee heard a great deal about the murders in Ireland, and they had heard the Home Secretary in his magnificent manner, so suggestive of a Corinthian pillar of the State, upon these small Amendments, and he was surprised that the late Chief Secretary, with his intimate knowledge of Irish affairs, had not risen to throw oil on the troubled waters for once. If he had referred to the 3rd section of the 17th clause, he would find there that—

> "Every person appointed as collector shall, for the purposes of this collection, have all the powers, authorities, and remedies given by law to the collector of grand jury cess."

And what were these?

The DEPUTY CHAIRMAN (Mr. Shaw Lefevre): I must ask the hon. Member to speak to the Question.

Mr. CALLAN said, with all due respect to the Chair, he was speaking expressly to the Question.

The DEPUTY CHAIRMAN (Mr. Shaw Lefevre): Does the hon. Member contest my ruling? I have already said the hon. Member is not speaking to the Question.

Mr. CALLAN quoted the Amendment and said, he wanted to show what power had already been given by the clause, and what authority collectors had, so that it was not necessary that costs should be above 5*s.* He wanted to show that, according to the clause, there was power, there was authority, and there were remedies given that would cover all expenses that could be necessarily incurred, the Amendment only referring to cases where a man was summoned before the magistrate. The power and authority included the entering on a man's land, or into his house, and seizing stock or furniture; any article in the house or on the land could be seized without any summons whatever, and without incurring any costs whatever. The collector would have the same authority as he would have in regard to county cess; he could go and seize, without summons, by virtue of his warrant; therefore, if he took out a summons, it was, as one might say, in excess of his jurisdiction, for there was no necessity for his doing it.

The DEPUTY CHAIRMAN (Mr. Shaw Lefevre): Again I must call on the hon. Member to speak to the Question, which is, whether the costs under a summons shall be more than 5*s.*

Mr. CALLAN said, he wanted to show that it was desirable to impose this limitation, because efficient remedies were given already by the clause, and summoning a poor man was—[*Interruptions*]—but he must ask the Chairman to protect him against disorderly interruptions, which prevented him being understood, and which must interfere with the course of anyone's argument, especially at such an hour.

Mr. HEALY said, the Committee must do the minority the justice of allowing that they had endeavoured to conduct these proceedings with as few divisions as possible. They had not been frequent, and he wished to avoid a division now. As had been just said, the Government had the power of distress, and they should not, because a rich man might repudiate a just claim, seek to have this power of heaping up costs against any poor tenant. The Government had already refused his Amendment to prevent the operation of the Law of Distress, and they also asked to have the power of heaping up costs. That was too much to ask. The rejection of his Amendment had put the Government in this position. Having said they would levy by distress where they possibly could, they now said they would put that law in force with the addition of as heavy costs as possible. He thought the Government must see that that would not matter one way or the other to them.

Mr. GRAY said, the Chief Secretary had spoken of a wealthy man resisting payment of legal debts, and that it was undesirable in such a case to have a limitation that would encourage him in his resistance. The fairness of this argument was recognized by his hon. Friend the Member for Wexford; and, accordingly, he said then exempt the wealthy man from the operation of the limitation, and provide that it should only apply to the poor tenant, whom the Chief Secretary admitted must be hit very hard by the imposition of a heavy sum for costs. No reply was made to that proposal; but he was not without hope that the Government would see their way to accepting it in principle by a provision that where the sum did not exceed a certain amount specified, then the costs should not exceed a certain amount. There was reason in this proposition, and he trusted the Home Secretary would see his way to accept it, for he was sure there was no desire that vindictive costs should be heaped up against a tenant.

Sir WILLIAM HARCOURT: No, Sir; I do not admit for a moment that this clause has been discussed in a reasonable manner. I am bound to say that, in my Parliamentary experience, a more intolerable and unjustifiable waste of public time has never been known than that exhibited on this clause, which has now occupied the Committee 14 hours—a clause not of first-rate importance—by Amendments many of them wholly unreasonable, and none more so than that now under discussion. During the time wasted on this clause not one single argument has been advanced why there should be a distinction between the rule in the collection of this rate and the collection of county cess, or poor rate, or any other rate. I know it is no use entering this protest, but I do record it, that the House may judge hereafter how it may be necessary to proceed with this Bill, that now, after 14 hours of the most wanton, most deliberate, most intolerable waste of time ever known, without the slightest reason a discussion has been carried on for more than an hour on an Amendment for which no sort of solid argument has been offered.

Mr. GRAY took the opportunity of saying that a more intolerable and unjustifiable attack had never been made. What were the facts? While the Committee were discussing the Amendment, while the Chief Secretary was dealing with arguments, the legitimacy of which he recognized, the right hon. and learned Gentleman who had just made this attack was fast asleep.

Mr. CALLAN called attention to interruptions proceeding from the hon. Members for Tyrone and Berwick.

Mr. GRAY appealed to the Home Secretary if what he had said was not true?

Sir WILLIAM HARCOURT said, it was certainly not true; he heard every word, and had heard the last two hours' discussion of the clause.

Mr. GRAY said, he would make his appeal to the Chief Secretary, who did hear the discussion, and recognized there was some force in it, and who stated, in reply, the only objection made to the limitation of costs—that in certain cases a man might withstand payment of this legal debt on what he might consider a principle. Then, to meet that difficulty, the supporters of the Amendment suggested that a limitation should be inserted in the Amendment providing that this safeguard should not extend to the case of the rich man. It was very well, or rather it was very ill, for the Home Secretary to speak in the rather wild manner he had; but he should remember that while he was responsible for the carriage of the Bill through Committee, the Chief Secretary for Ireland would be responsible for the administration of the Act during the three years it was in force——

Sir JOHN HAY rose to Order, and asked, was the hon. Member addressing himself to the Amendment?

The DEPUTY CHAIRMAN (Mr. Shaw Lefevre): The hon. Member is rather wandering from the Question, to which I must ask him to keep.

Mr. GRAY said, he was endeavouring to strengthen his appeal to the Home Secretary to at least give a reply to the suggestion that this limitation should be applied to the case of poor tenants, while exempting those wealthier persons against whom the Chief Secretary said the power of imposing costs must be used. This had been recognized as a reasonable suggestion, and it had been made with the view of avoiding a division. The right hon. and learned Gentleman would see it was desirable to consider this; and if he had any objection to make to the suggestion, he would make it, using a little more courtesy in referring to the arguments used in its support.

Mr. HEALY said, anybody who had just entered the House would not know the temper in which these Amendments had been discussed. While the Committee were engaged with a particular Amendment to a particular clause, the Home Secretary wandered from the clause in order to make an attack on Irish Members—in which he must have been entirely out of Order—with the view of showing Gentlemen who had just entered the House that Irish Members had acted otherwise than with the discretion they had used during the night past. As to saying there had been a deliberate waste of public time, if there had been a waste, it had been of their own time. The time belonged to those Members who had been up all night discussing the Bill, and had not moved one single Motion to report Progress or to delay discussion.

The DEPUTY CHAIRMAN (Mr. Shaw Lefevre): I must recall the attention of the hon. Member to the Question before the Committee. He is now going beyond a reply to the Home Secretary.

Mr. HEALY said, he had dealt with that. The argument of the Chief Secretary, used while his right hon. and learned Colleague "lay like a warrior taking his rest," was that the rich tenant would be included in the Amendment for the limitation of costs, and to meet that, he (Mr. Healy) had said he was willing to adopt the limitation known in the Arrears Bill. And at that point the Home Secretary got up and made his monstrous tirade.

Mr. PARNELL: I suppose I may speak for the first time on the Amendment without being accused of wasting time? I am speaking once; the Home Secretary has spoken three times. I I will say this—the Amendment is of a most important character, and I am certainly very much surprised that the Government should not have agreed to accept it. As the matter at present stands, there is no limit to the amount of costs a Justice may put on; and, as we have shown that a large number of Irish tenants are of the poorest, it is reasonable to ask, where power is given to the Government to place a penal fine of this kind on tenants, that the amount of costs that their officer shall be able to recover in proceedings before a Justice shall be limited in their extent. In proposing a limit of 5*s.* we make a reasonable proposal. The further suggestion as to the limitation to a particular valuation was also reasonable, and deserved to be met in a different spirit than it was by the

Home Secretary. The proceedings before the Justice will be very simple; there will be no necessity of employing expensive counsel, or even of employing a solicitor where there will be no difficulty in obtaining the order of the Justice; and when the matter can be so summarily disposed of, why the desire to inflict heavy costs? The Amendment should have been met in a different spirit by the Home Secretary, who appeared to wish to create a false impression in the minds of those Members who have just come down to the House, and do not know the course of the discussion.

MR. PLUNKET said, he had been present, not absolutely the whole time, because it was almost a physical impossibility to remain the whole night. He had been away for only a couple of hours, and, returning, he found those who called themselves the Irish Members repeating precisely the same arguments which they were using when he went away two hours before. All through the night a series of frivolous Amendments were being moved, and though there had not been repeated Motions for Adjournment, such as had been known before on such occasions——

MR. JUSTIN M'CARTHY rose to Order, and asked, was this speaking to the Motion before the Committee?

THE DEPUTY CHAIRMAN (Mr. SHAW LEFEVRE): The right hon. and learned Member is not out of Order.

MR. PLUNKET continued. He was speaking in reply to what had been said by the hon. Member who had just sat down. The Minister in charge of this Bill had been recklessly and unjustly attacked. He (Mr. Plunket) was his determined political opponent, but he could not forget that he was also a Member of the House of Commons, and in speaking now he was only doing what he felt was his duty to the House of Commons. The Home Secretary, with astonishing patience, which he would venture to say would add to his great reputation in the House, had steadily followed this discussion, in which there had been both waste of time and attacks of the most insulting character levelled against himself—levelled in a manner he (Mr. Plunket) would have found it most difficult to endure. And now again they had, time after time, speeches made upon an Amendment that would only bear honest argument for five minutes. When it had once been said that in the case of small tenants there was nothing more had been shown in support of the Amendment, and it did not advance the argument with the Committee to repeat the same thing over and over again 30 or 40 times. Hon. Members were not sent there to listen to repeated arguments of this kind, but to transact the Business of the House. Of course, the simple answer to the Amendment was that the discretion of a Court was never limited by such considerations in other analogous proceedings, and why should it be in the present case? That was the whole argument, beyond which it could not be advanced, and he agreed with the Home Secretary this was a deliberate waste of time.

MR. SEXTON said, since the present Chairman had presided from an early hour he had not seen fit to declare that any of the Amendments brought before him were in any sense similar to any previously brought on. Before he occupied the Chair, the hon. Member for Liskeard (Mr. Courtney) was in that position, and he did, in one or two cases, see fit to declare that Amendments hon. Members desired to move were in some sense similar to those which the Committee had decided. As soon as he announced that ruling, it was at once accepted; and, therefore, he (Mr. Sexton) was entitled to declare that the Amendments hitherto considered, and put from the Chair, had been Amendments differing materially one from the other, for to say otherwise would be to impugn the competency of the Chair to protect the Committee from irrelevant discussion. He treated with perfect unconcern the unsupported assertion that arguments had been repeated when a right hon. and learned Gentleman, who had been present all night, with the exception of two hours, was unable to state a single instance of a repetition of argument. He (Mr. Sexton) had been only absent a few minutes; he had been in the House on each Amendment, though not always in the House, and he challenged the right hon. and learned Gentleman (Mr. Plunket) to cite any case of such repetition of argument as would have called for the interference of the Chairman, or entitled him to make the attack he had, with a heat that rivalled that of the Home Secretary. Irish

Members had confined themselves strictly to arguments relative to the Amendments before the Committee, and had not themselves done anything to excite temper, nor had they been led by exhibitions on the other side to lose their own tempers. When the right hon. and learned Gentleman spoke of frivolous Amendments put forward, and supported by repeated arguments, he (Mr. Sexton) was quite willing to wait the judgment of the tribunal of public opinion upon that.

Question put.

The Committee *divided:*—Ayes 14; Noes 108: Majority 94.—(Div. List, No. 209.) [7.20 A.M.

THE DEPUTY CHAIRMAN (Mr. SHAW LEFEVRE): The next Amendment stands in the name of the hon. Member for the City of Cork (Mr. Parnell), and it cannot be put, because a similar proposal has already been negatived by the Committee; but the following Amendment can be moved.

MR. PARNELL believed the Government had agreed to this.

Amendment proposed,

In page 9, line 7, at end, to add the following sub-section:—"A Return, showing the sums from time to time collected under this section, the districts from which same have been levied, and the manner in which same have been disposed of, shall be presented annually to Parliament within one month after the opening of Parliament."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

SIR WILLIAM HARCOURT said, there was no objection to this.

Question put, and *agreed to.*

MR. T. P. O'CONNOR said, he thought the Government had previously expressed their willingness to accept his Amendment as to the publication of each warrant, and other particulars, by advertisement in newspapers.

SIR WILLIAM HARCOURT said, it was understood that this, with other matters, should be dealt with among those things agreed upon as to be dealt with under a prescribed manner.

MR. HEALY asked, would all the particulars asked for in the Amendment be given? That was rather an important point.

SIR WILLIAM HARCOURT said, he would not pledge himself as to details, but to a prescribed form he would agree.

MR. HEALY asked, would a copy of all these prescribed forms be laid on the Table, as were the Rules and Orders in the case of the Land Bill?

MR. T. P. O'CONNOR said, he did not think it necessary to move his Amendment.

SIR WILLIAM HARCOURT objected to laying such a large multitude of forms on the Table.

MR. HEALY said, there were a multitude of Rules to the Land Act, some of them forming a book of 70 or 80 pages, and in each case the Government had them laid before the House.

SIR WILLIAM HARCOURT said, he would not undertake to lay all these forms before the House.

MR. SEXTON said, he hoped the Government would agree to the provision he wished to add to the clause. It was desirable that two Justices should confer as to whether an order should be issued, and within what time payment should be made.

Amendment proposed,

At the end of the foregoing Amendment, to add the words—"Provided, That no order for the payment of any such charge shall be made by one justice."—(*Mr. Sexton.*)

Question proposed, "That those words be there added."

SIR WILLIAM HARCOURT said, the orders would be made under the Lord Lieutenant, and, therefore, the question whether an order should be made or not would not depend upon any authority but his. As to the time of payment, he saw no reason for departing from the rule that applied in county cess and county rates. There was no reason for drawing a distinction.

MR. HEALY said, that a distinction was drawn, and he could see the reason why two magistrates should be required to adjudicate.

Question put.

The Committee *divided:*—Ayes 14; Noes 111: Majority 97.—(Div. List, No. 210.) [7.30 A.M.

MR. T. P. O'CONNOR said, in his Amendment he followed the lines of the Petty Sessions (Ireland) Act of 1851, and a reference to that Act would explain his meaning, and support his Amendment. In that Act it was provided that when an order was made by the Justice for the payment of any sum exceeding 20*s*., or a term of imprisonment exceeding two months, there should be a right of appeal to the County Court Judge. It was evident that here a very large discretion was given. If a man was only liable to pay 1*s*. above the pound, or to be sent to prison on account of it, he had his appeal; and, *à fortiori*, there ought to be a right of appeal in this case, where a man might be rendered liable to pay a sum even of £50. If that was so, it was only fair to ask the Government to deal with the case according to the precedent of the Act of 1851. He thought, also, that in a case where a man's character was brought into question, as it would be by this Bill, he was justified in the proposal.

Amendment proposed,

At the end of the foregoing Amendment, to add the words—"Provided, That in case any person is summoned before a justice to enforce payment of any such charge, such person may, should he consider himself aggrieved by the order of such justice, appeal therefrom to the county court judge for the county and division within which such order has been made, subject to the provisions of and in manner prescribed by the twenty-fourth section of 'The Petty Sessions (Ireland) Act, 1851.'"—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT said, he must make the same answer to this as he had made to the last 10 or 12 Amendments. He could not depart from the method adopted in levying county cess or other rates, and give an appeal in this case, when it was not given in that. Every argument used was one that would equally apply to the case of appeal from the levy of county rates. He did not understand that the character of any individual would be at stake in respect to being under an obligation to pay his share of a levy made on the district; and, therefore, he could not see the force of that argument as any reason for departing from the principle adopted in levying other rates.

Mr. SEXTON said, the right hon. and learned Gentleman's memory was defective, and if he looked back he would find that half the Amendments he spoke of had been accepted by himself. The Home Secretary was puzzled to see how the character of a man would be at stake; but it was perfectly plain, though, to be sure, one's faculties were not in the best working order under these circumstances. Although the levy was general, the Bill provided that the Lord Lieutenant might make exceptions. He might exempt those whom he considered free from any suspicion of moral complicity in the crime. The exemptions of the Lord Lieutenant would clear from all moral suspicion of complicity, while all those who did not receive exemption would lie under a ban or moral suspicion of responsibility for crime.

Mr. HEALY said, as to following the principle of the county rates, he had already commented on the fact that when he asked for the application of the principle it was refused, and his Amendment was voted down. He asked that the principle should be applied in appointing collectors, but it was refused. There was some hon. Member who appeared to be solacing himself with a penny whistle.

The DEPUTY CHAIRMAN (Mr. Shaw Lefevre): Order, order! I must call on the hon. Member to withdraw that remark.

Mr. HEALY withdrew it, but explained that he was interrupted by an extraordinary noise, like the playing with a castanet. If the Government desired to apply the principle of the county rate, let them do it; but not accept it and reject it as they pleased.

Mr. LEAMY said, no man would think of appealing from the decision of the Justice unless he had some special ground, some ground that he believed would convince the legal mind that in his case he should be relieved from the impost. If these charges were levied properly and correctly, there would not be appeals, for how could a man induce the Court to relieve him if he was the man liable to the charge? But suppose the man who appeared before Petty Sessions was not the legal occupier, and that a question of law was raised, and, nevertheless, the magistrate decided he must pay, it was very reasonable in such a case that he should have the right of appeal, when, of course, if he could not make good his point, he would have to pay considerable costs. The reason why this exception was asked for was because this was an exceptional rate, and an exceptional tax imposed under unusual circumstances, and exceptional in that it was not so much in the character of a tax as in the nature of a punishment.

MR. HEALY pointed out that upon the question of legal occupancy on a certain day rights of property of great value might depend. The proposal to have two Justices having been refused, the appeal to the County Court Judge was proposed, and he would impress on the Government the fact that here might be most important questions of tenancy and occupancy arising, and all that was asked was, that such a question should not be finally decided by some magistrate who might have a pecuniary interest in it, but that it should go before a competent and responsible officer—the Judge of the County Court. The district magistrate might be a relative of the man on whose account compensation was claimed, or he might be a landlord directly interested when a question of occupancy arose. Having regard to the great many matters involved, the Government should agree to go a step further, and not leave all the power without appeal in the hands of individual unpaid magistrates.

MR. PARNELL said, he would not have thought it so important to obtain the power of appeal if the Government had consented to the previous Amendment to provide that two Justices should hear a case. But as there was to be only one, it would be a very fair thing, following the precedent of the Petty Sessions Act, to allow this appeal. The Lord Lieutenant would have to act without legal knowledge or check to prevent abuses or mistakes, and it was extremely probable that mistakes would often arise. A single Justice might decide that a fine should be inflicted on a man for a holding for which the man might not be really liable. It was unlikely that a man would go to the expense and inconvenience of an appeal unless he had a good case.

Question put.

The Committee *divided*:—Ayes 14; Noes 129: Majority 115.—(Div. List, No. 211.) [7.55 A.M.

THE DEPUTY CHAIRMAN (Mr. SHAW LEFEVRE) said, a Notice of Amendment had been placed in his hands by the hon. Member for Sligo (Mr. Sexton), having for its object a limitation of the time within which charges on account of crimes should be levied. This he ruled out of Order, as being contrary to a decision at which the Committee had already arrived.

Question proposed, "That the Clause, as amended, stand part of the Bill."

SIR WILLIAM HARCOURT: Before this clause is put I must ask this House, and I think I may ask people outside this House, to consider the history of this clause. I have been myself exactly 11 hours continuously engaged in the discussion of this clause, and four hours or more were previously occupied in the consideration of it. That is to say, that on a clause of certainly secondary importance in this Bill, a clause which involves no Constitutional principle, which involves no question of a novel character, which is simply an ordinary clause of the kind with reference to the taxation imposed in previous clauses of the Bill—I beg leave to call attention to the fact that all the clause contains is the manner of imposing charges in respect to matters decided on in previous clauses, and that on this clause there has now been expended time equivalent to two whole working days of the House of Commons. This has been done with enormous inconvenience to individual Members of the House, it has been done deliberately, it was, I believe, intended to be done, it has been done, unquestionably, in an adroit manner; but the ingenuity has not, in the least degree, concealed the deliberate intention of blocking and impeding the progress of a measure for the prevention of crime in Ireland. These tactics have been steadily pursued by hon. Gentlemen opposite for weeks past. They have used every method at their disposal to prevent the passage through this House of a measure which may stop the horrible and atrocious crimes occurring in Ireland. This is the persistent object they have placed before themselves, and which they are still pursuing by methods we have seen adopted on this clause. Sir, I ask the House to note this, and I ask the country to note it. I ask this in order that every Party and every Member of this House who desires that the abominable condition of Ireland should find some remedy may consider whether the time has not come at which this House shall take some method of dealing with this conduct.

MR. PARNELL: The right hon. and learned Gentleman has attempted to excite the passions of the Committee, has deliberately attempted to excite the passions of the Committee—of a Committee mainly composed of Gentlemen who have not been present during the whole proceedings to which he refers. The Home Secretary has exceeded his right as a Member of the Committee. He has deliberately imputed a Parliamentary offence to Members opposing this Bill, and in doing so he has taken upon himself the authority of the Chair. I have yet to learn that a Gentleman, even in the high position in which, in his own opinion, the right hon. and learned Gentleman is, is entitled to assume that function without the permission of the Committee. Until he is made Chairman of the Committee, I know not by what right or title he has assumed to speak in the tone he has now spoken. He has called, indeed, the country to witness, in regard to proceedings with reference to the conduct of this measure, which took place by his design—by his doing—at a time when the country—the Press of the country—could not be witnesses of these proceedings, and he has deliberately chosen this moment, when the Press and the Members of the Committee have returned to their duties, for making this charge against us, well knowing that the country could not judge of the truth of his assertion. Why has he not arraigned our conduct in opposition to this Bill during the days and nights we have spent on it in full view of the country? It was not by our wish that this all-night Sitting was held. We should have very much preferred that the Government had not adopted the unprecedented course of taking an all-night Sitting, and I say no Opposition has ever met such a course taken by the Government so kindly, and to do as little as we could to impede the Bill, or with as little desire to use the Forms of the House, legitimate Forms, which, under the circumstances, we should have been perfectly entitled to use, but which we have not used. Not a single Motion to report Progress has been made during the whole night, not a single dilatory Motion has been made. It is within the recollection of the Committee that on several occasions Her Majesty's Government have themselves moved Motions to report Progress, thereby indicating that they were fully satisfied with the progress made; if not, why did they make the Motion, as they repeatedly had, during the evenings which have been spent on this Bill? Now, I deny again the contention of the Home Secretary that no Constitutional principle is involved in this clause. On the contrary, it is a clause of the greatest importance, and it derives its importance from matters of detail more than anything else; and therefore it was that we were prepared to spend more time in the discussion of Amendments in Committee on this clause than on its general principle. But the clause in itself is most important, from the point of view of Constitutional principle, the very character that the Home Secretary denies it. It provides for the limitation of area, it fixes the area within which fines may be inflicted; and, in my view, and that of my hon. Friends, it fixes the area in a manner most objectionable to us and to the country we represent. Now, the Home Secretary has appealed to the country at large, and all I can say is that, as regards our conduct on this clause, and on every other clause, we confidently appeal to our country. We appeal to our countrymen at home and abroad, and we feel confident that our conduct will be endorsed by our countrymen at home and abroad. I ask you where are your Irish supporters? How many Irish Members have you been able to muster to your side; how many assisted you last night? How many have followed you into the Division Lobbies in the divisions upon this clause up to this time? Two or three Irish Conservatives. Where are the Ulster Members, where are the nominal Home Rulers? They would not venture to go so contrary to the wishes of their countrymen as to support the Government on the stages of this Bill, and they have shown by their absence, or by their votes, that they are with us and not with you. You are destitute of Irish support, of the support of any section of Irish Representatives, except the extreme Conservative section, your hereditary enemies, who have pushed you on to this miserable and wretched course, as you are destitute of any reason or justification for pressing forward measures of this atrocious character. The Home Secretary would have us believe that to him belongs the monopoly of wishing to preserve law and order in Ireland. I should have thought that those who lived in Ireland had the greatest interest in the preservation of law and order there; that we who share her misfortunes and her prosperity would care most for our country. But the Home Secretary prides himself on being the only person to do this. Our position on the Bill has been this—that experience of centuries of your rule in Ireland has shown that a policy of coercion is disastrous, and, so far from putting a stop to crime, increases it. We warned you of this on your Coercion Bill of last Session, and we were met in the same way and with the same appeals to the passions of the House, and with the same appeals to the country for support, a country ignorant of what they were asked to legislate about. We are not afraid of the Home Secretary's threats, we are not afraid of doing our duty, and we shall continue to do it; and we warn the House and this country of the results—the necessary results—that experience shows has followed every Act of coercion you have passed against the Irish nation, the result of an increase in crime, and a further alienation of the people of Ireland from this country, while you will drive to despair the majority of the Irish people who desire to see their country prosperous and restored to tranquillity and quiet.

Sir STAFFORD NORTHCOTE: The Home Secretary spoke, as I understand, not in the name of the Government, or for himself individually, but he spoke in the name of the House of Commons generally. He made an appeal to us here to consider in what way we should proceed under these peculiar circumstances. The House is perfectly well aware of what the real situation is. It is an insult to our common sense to try to divert us from the real situation by such flimsy pretexts as I have heard put forward within the last half-hour while I have been in the House. Do hon. Members suppose that those who have been away for some hours are not perfectly well aware of what has been taking place, and of the tactics that, with intention, have been pursued? It is all very well to say these things to persons who may not know what we on this side know from bitter experience. We know perfectly well the meaning of all this. When the Government appeal to the House and say this measure which you, by a large majority, have agreed to consider of importance, and which we put before you as a proposal to put a stop to a condition of affairs in one part of this Empire which is dangerous to the whole of the Empire, and when they say—"We are met with this kind of opposition, which has been lately developed against it, and it is necessary for the House to take into consideration some other mode of furthering the measure," I say that is an appeal that the Government are perfectly entitled to make, and which, indeed, the House expected them to make. I can only say that though I and a great many of us are prepared, as we have shown ourselves willing, to do all we can to prevent any unreasonable infringement of the liberty of debate, and to preserve the privileges of the minority, yet those privileges can only be preserved by a proper and reasonable attention to the absolute necessity of carrying on Business. If it should be—as I rather gather from the words of the Home Secretary it is—in the contemplation of the Government to make any further proposal to the Committee, with the view of expediting the progress of this measure, they will have my support certainly in any reasonable proposal for carrying through a measure of such vital importance.

Viscount EBRINGTON said, the hon. Member for the City of Cork (Mr. Parnell) referred to the number of Ulster Members who had not given the Government support. Perhaps he was not aware that a majority of the Irish Members present supported the Government in the division for leave to introduce the Bill; and on the second reading Members from every county in Ulster, except Cavan, supported the Government. At one time or another upwards of 40 Irish Members had supported the Government; there were more than 30 Irish Members who had never opposed the Bill; and a majority of the Irish Members had never once voted against the Government; while it was seldom, indeed, that a majority of Home Rule Members even had voted with its opponents. More often than not—a reference to the Division List would show it—the number of the Irish Members voting in the minority had been less than 30—without quoting the figures exactly—although there were 61 of them returned on so-called National principles, so really even the half of them had not constantly followed the opponents of the Bill.

Mr. SEXTON said, he would merely remark that the absentees might be accounted for by the fact known at the outset that the majority had no liking for the Bill. It was also true that though Ulster Members voted for the Bill on the second reading, their love for the Bill had grown cold, and the more they knew of it the less they liked it. A great deal had been heard of the steps to be taken in reference to the part which Irish Members had taken in the House in opposition to the Bill, and attempts had been made by vagueness of language to invest these steps with horror, and to frighten Irish Members who had simply done their duty. They would await with tranquillity any steps that could be taken. No steps that could be taken, no steps it was competent for the House to take, or steps it was within the ingenuity of the Government to suggest, could interfere with the determination that had animated them from the beginning of the Bill, and which would animate them to the end, not to permit that Bill to be applied to the Irish people in the form of law until they had said what they had to say against it. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote) said the Home Secretary did not speak so much on behalf of the Government as on behalf of the House; but he confessed from his simple—perhaps narrow—point of view as an Irishman endeavouring to defend the rights and liberties of his people, he cared little whether the right hon. and learned Gentleman spoke for the Government or for the House. The overwhelming majority of the House was composed of Gentlemen who had never set eyes on Ireland, who had no direct interest in the administration of the Bill—of Gentlemen whose constituents would never suffer from the operation of this stringent measure. The only people to whom the Bill would be applied were the people who sent the Irish Members to the House, and Irish Members were concerned in their representative capacity. He did not wonder at the smile that passed over the face of the right hon. Member opposite—it would not be Parliamentary to call it a sinister smile. He, last year, when pleading for a Bill like this, gave assurances that read strangely when read by the light of his after conduct—when the words that accompanied the discussion of the Coercion Act and their fulfilment were remembered—he could not wonder at the smile that met the words "we are the men concerned." Nor could he be surprised at the prejudices against this Bill. It would go hard with Irish Representatives when this Bill became law. The Home Secretary, at the close of a Sitting which had not been marked by a single Obstructive Motion, and which had been marked by the acceptation by the Government of several Amendments proposed by Irish Members, had the hardihood to rise at that Table and talk about Obstruction. He went so far, and it was not usual in Parliamentary debate, as to call in question the intention of the Irish Party. When he resorted to that extreme and unusual method of criticism, he (Mr. Sexton) was entitled to say that he would find nothing to question or impugn in their actions. If he could, why did he say so much about intention? They were entitled to have their intentions judged by their acts, not merely in reference to this Sitting all night; and he claimed with perfect justness, before the House and the country, that it was impossible to lodge against the Irish Party, with any degree of reason, the charge that they had used or abused the Forms of the House for purposes of Obstruction. The positive facts of the case were, that they withdrew many Amendments upon which they might have taken divisions, and restrained the great body of Irish Representatives from speaking on the Amendments. The work of fighting the Bill was left to a comparatively small section of the Party; and he was aware that many of his personal Friends felt it hard to follow the advice of their Friends, and remain silent. There were 35 Members available for constant discussion; but an examination of the record of proceedings would show that only eight or 10, and sometimes not more than six, took part in the discussion of an Amendment, and that was because they were anxious to limit the discussion to each particular Amendment. Proceeding with some observations on the clause, the hon. Member said, this blood tax was false and vicious in principle, and at the best it was a barbarous expedient, because, taking no note of responsibility, it only confounded the innocent with the guilty. The object was, it was said, to give the people a pecuniary interest in the maintenance of law and order, and that might be done if applied to wealthy people; but the great body of the people were poor, and instead, therefore, of this being an inducement to aid in the preservation of law and order, it would drive them to the brink of despair when they were burdened with a tax for crimes for which they were not responsible, and which they knew they could not pay. His Party had tried to induce the Government to make exceptions in favour of certain classes, who, two years ago, were only saved from starvation by the charity of the world; and they had asked the Government to exclude from the operation of the clause those tenants who would be saved from a position of hopeless arrears next year by the charity of the State. These appeals were made in vain. In want or in wealth, thriving or starving, the hammer of the tax was to come down on all with equal force. Was it without reason that hours were spent in the endeavour to temper the severity of the clause to classes allowed to be worthy of compassion? Was it not enough that the Government should refuse these appeals, but that they must proceed to make special exemptions, and to raise up a privileged class not to be subjected to this tax? In every district they would select and set apart a privileged caste of men, and the effect would be that instead of allaying the evil feelings between class and class, instead of tending to create a state of peace and tranquillity, it would propagate those evils, and increase the animosities between the class subjected to, and the class exempted from, this tax. The result must be dangerous to public peace. These were the objections to the clause. The Irish Party were, with perfect confidence, ready to submit to the country—more readily than to the House—the whole question of their conduct on the Bill from the beginning. Instead of using the Forms of the House for Obstruction, they had abstained from employing those Forms; and, far from wasting time, Irish Members had restrained themselves from interfering, lest they should give a pretext for the charge.

Mr. TREVELYAN: The hon. Member for the City of Cork (Mr. Parnell) has charged the Home Secretary with having exceeded his right as a Member of the Committee, and with having assumed the authority of the Chair. Now, my right hon. and learned Friend cannot help being impressive when he speaks, and I should be sorry were it otherwise. He appealed in the strongest way to reason—he did not appeal to passion; and he made a statement of great importance. He spoke of the delay on this clause, which has lasted now for 15 hours—two whole days of the time of this House, which has on it the entire burden of the Empire. Measures most important to the Empire are waiting—measures which, in the opinion of the Government and of the House, are deeply important to the country hon. Members opposite represent, and questions in which time is the essence of importance. The hon. Member for Sligo (Mr. Sexton) and the hon. Member for the City of Cork have spoken with superficial plausibility of the conduct of the opponents of this Bill, that they have not resorted to abuse of the permanent Forms of the House. That is so; but there is a much more serious charge than having made use of Motions for Adjournment, or to report Progress. It has consisted in bringing forward a perpetual series of Amendments, colourably differing, to avoid being ruled out of Order from the Chair, and in supporting these by a series of speeches, putting the same argument 10 times, and in some cases 15 times over, when, for purposes of rhetorical effect, they needed not to be repeated more than once or twice. The old form of Obstruction discredited Parliamentary Forms; but this has discredited reasonable discussion. The hon. Member (Mr. Parnell) has spoken of Coercion Bills failing. The Coercion Act of 1870 was absolutely successful. The Coercion Act of 1870 brought down outrages over a long series of years. One thing can make this Coercion Bill fail for a time, and that is when hon. Members who are listened to in Ireland speak of it as being directed against the people of Ireland. The hon. Member for Sligo asks what interest his constituents have in this Bill except interest in opposing it? Why, everybody has a direct interest in seeing crime put down in their midst, and when the hon. Member for the City of Cork appeals to his countrymen at home and abroad, let him remember and appeal to those poor wretches who are waiting night after night for the visit of "Captain Moonlight," and of another higher class who never pass a corner or turn down a lane without the fear of being shot. I solemnly warned the House of Commons 10 days ago of what would happen if this Bill were delayed. Have my warnings been justified or not? It is my belief that if you asked the great body of the Irish people they would say they would much rather the Bill had passed three weeks ago than that it should pass three weeks hence. The responsibility of it not passing seriously rests on certain Members of this House, and I think the time has come when it is a serious question indeed if Parliament shall continue to share that responsibility.

The Chairman of Committees in the Chair. [8.45 A.M.]

Mr. T. P. O'CONNOR said, he could not congratulate the Chief Secretary on his speech, and rather pitied the right hon. Gentleman that he had to succeed his Colleague. He made a sort of apology for the Home Secretary, because he knew that the discussion was carried on in a calm and temperate manner until the Home Secretary, for purposes of his own, interfered to excite passion. The Chief Secretary pointed to what had followed the Act of 1870 as showing the success of coercion; but if he had had time to refer he might quote passage upon passage from the speeches of the Prime Minister that went to show that the decrease in crime was not due to the coercion but the remedial legislation of 1870, and he said that in the debates on the Compensation for Disturbance Bill over and over again. All through the discussion on the Bill the Irish Party had said it was a Bill that could be used against Constitutional agitation. When his hon. Friend, a Constitutional agitator, stated that, and that the Bill might be used against him, the House cheered, and the cheer of the sardonic Home Secretary was loudest in greeting the statement that the Bill might be used against Constitutional agitation. And that was what he feared if the Bill came for administration into the hands of a Chief Secretary of imperious temper and weak nerves—that it would be used against such agitators and not against the perpetrators of crime. Then the Leader of the Opposition professed himself anxious for any measure that would respect the privileges of minorities; but would he take the same view when next the Procedure Rules were debated, or would he be anxious to adopt any measure interfering with any minority but the Conservative minority? He observed that a noble Lord opposite (Viscount Ebrington) claimed that the Bill had never been opposed by a majority of the Irish Members, and following on after the Home Secretary any Parliamentary neophyte could whet his sword and gain a cheap applause by statements of this kind; but he could tell him it was not so. The Bill had always been opposed by a majority of Irish Members, and most of the clauses had been opposed by English Members on the Radical Benches. In some divisions indeed—and he said it with regret—there were more English than Irish Members in opposition. Out of 26 Amendments on the Paper five were withdrawn or ruled out of Order, and out of the 21 remaining seven were accepted by the Government. A third of the number was accepted, and in the face of that fact the Home Secretary had the audacity to declare that the Amendments were more irrelevant than on any previous occasion. The Home Secretary endeavoured to make light of the clause, but it was one of the most oppressive clauses in an unprecedently stringent Bill; and if anything could make it more oppressive and stringent, it was the action of the Government in refusing every Amendment that sought to protect the poor and make the rich contribute to the tax. It was asked that landlords should be subject to the tax and it was refused; then it was asked that the tax should be divided between tenant and landlord—it was refused; and then they pleaded for those who were placed in hopeless insolvency, but all in vain, as if the Bill, while meant to spare the rich, should grind the poor and fine the miserable and starving.

Mr. LEAMY denied that the Irish Members had been engaged in obstructing the Bill, and regretted that the Government had not accepted the limitations which had been proposed. Not only were important Constitutional principles involved in the Bill; but it would ruin many of the poor Irish tenants. He did not see why the whole blame should be thrown upon the Irish Representatives for the delay which had occurred in passing the Bill. In the early part of the proceedings in Committee, nearly as many English Members spoke as Irish. It was a Bill which abolished trial by jury; it gave indiscriminate and arbitrary powers to the Lord Lieutenant; it re-enacted the Alien Act; it contained provisions of an extravagant and extraordinary nature; and, while it was pretended to be put in operation in aid of the ordinary law, it entirely overturned and revolutionized it. The Irish Members would therefore be acting unfairly and dishonestly towards their constituents if they did not endeavour to amend it; and with that view they offered the most strenuous opposition to the passing of the clause.

Mr. HEALY said, he could imagine that a Gentleman like the Chief Secretary for Ireland, who was himself animated with the best intentions towards Ireland, and who since he came into Office had exhibited a marked contrast to his Predecessor, the right hon. Member for Bradford (Mr. W. E. Forster)—he could understand that a Gentleman like the right hon. Gentleman should manifest a certain amount of impatience, because the Irish Members declined in all respects to trust the Government with the administration of this clause. The remarks of the right hon. Gentleman were founded on the assumption that every official of the Government was actuated by the same feelings as himself. No doubt, if that were really so, and the Lord Lieutenant and the entire Irish Executive were impressed with similar convictions, the hardships of which the Irish Members complained would not occur under this clause. But the right hon. Gentleman the Member for Bradford entered upon Office accredited to the Irish people with all the marks of a sympathetic and benevolent mind, and with every kind of good intention; but, before many months had passed over, he stood revealed in his true character; and what became of the right hon. Gentleman's good intentions, and the character he had assumed of a friend of Ireland? The present Chief Secretary for Ireland, after being intrusted with these powers for a few months, might become as hardened in the execution or carrying out of his functions as the right hon. Member for Bradford. The Chief Secretary for Ireland had attempted to fix on the Irish Members the blame for the murders which had just occurred. He (Mr. Healy) made no complaint of that, although it was a severe charge; but he would turn to the chief spokesman of the landlords in Ireland. The Government based their claim for the urgent passage of the Bill upon the argument that it would arrest such murders as that which had recently taken place near Loughrea; but he wished to see what it was that *The Dublin Orange Daily Express*, the editor of which was the Irish Correspondent of *The Times*, said upon that matter. These were the words of that writer, and they appeared only yesterday—

> "Will any rational man assert that such a murder as this would fall within the scope of the operation of the Act to any appreciable extent?"

That sentence alone was a complete condemnation of the argument of the right hon. Gentleman—[Mr. Ecroyd: Will the hon. Member read the context which follows?]—The writer went on to say—

> "Before a murderer can be tried, he must be caught; and of the hundreds of murderers now at large,"

—[An hon. Member: A gross exaggeration.]—Yes, it was a gross exaggeration, because there had not been 100 murders committed altogether within the last three or four years; but the writer continued—

> "And of the hundreds of murderers now at large and plying their public trade throughout the country, for these ruffians go about in gangs, how many can we reasonably expect have been secured by the police?"

He had now read the context, as the hon. Member for Preston (Mr. Ecroyd) had requested him. The Chief Secretary for Ireland said the Bill would interfere with the operations of "Captain Moonlight," and that there were a number of persons who were in daily terror of "Captain Moonlight." If that were really so, where were the police? So far as he could see, the police had no more practical powers for the detection of "Captain Moonlight" than they had now.

They were now exercising all the powers they would get under the Bill in advance. At the present moment, no Irish policeman met a man upon a road at night and did not search him, in order to see if he had anything of a dangerous character about him. It was said they were to trust to the Liberal Party; but it was not the Liberal Party with which they were dealing. They were dealing with the Liberal Party, plus the action of the force which the Tory Party brought to bear upon them. And that was the reason why they were inclined to distrust the statements made to them, although such statements were made in evident good faith. If the right hon. Gentleman and the Government failed to carry out the clause as the Tory Party considered it ought to be carried out, there would be Members of the Front Opposition Bench getting up and drawing the most thrilling picture of the murders which had been committed, with harrowing details, and loud protestations against the inadequacy of the compensation awarded. He (Mr. Healy) had every reliance on the good intentions of the right hon. Gentleman the Chief Secretary for Ireland so far as he might be able to carry them out; but he would warn the right hon. Gentleman, in advance, that his good intentions would be thwarted by the necessity he would find himself under of making concessions to the Tory Party.

MR. W. E. FORSTER: Many allusions have been made to me in the course of the debates upon this Bill; but I have been very anxious that they should be as little prolonged as possible, and I have, therefore, not thought it necessary to make a reply. I only rise now for the purpose of making a very few remarks, in consequence of the remarks which have been made. I am quite content to leave my connection with Ireland to the judgment of my country. I will only make one observation with regard to the Act of last year. It has been said that, in some respects, it has not been successful; but in one respect, at all events, it has been a great success, and that is, that it prevented the hon. Member for the City of Cork (Mr. Parnell) and the hon. Member for Wexford (Mr. Healy) who has just spoken, from governing Ireland. And, while I wish to say as few remarks as possible, I feel bound to say that I am convinced the time has come when the House must take decided steps to carry out its intention of having this measure passed with as little delay as possible. By an overwhelming majority, the House has expressed its agreement with the Government that this measure is necessary for the prevention of crime. The state of Ireland is, in some respects, worse than it has been for many years. It appears to me that there have been a fewer number of outrages this month than there have been in some previous months; but as regards the worst cases of outrage, they have been far worse and far more numerous. There have been more agrarian murders in the month just come to an end than in any one month in any year since 1844. There has been no month in any year in which there has been anything approaching six agrarian murders. There have been other atrocious outrages, such as bad cases of firing at individuals, and attempts to murder. There has also been a new kind of heinous offence, for the incendiary fires have not merely been directed to the destruction of property, but have been carried out with a cruel recklessness which, I think, must amount to an intention to burn people in their houses. Life is less safe in Ireland at this moment than it has been for many years. I am not going to argue now how far this Bill will prevent crime or not; but I believe that many of the provisions contained in it will have a very great effect. What I wish to call the attention of the House to is this fact—that, as I before observed, the Imperial Parliament is responsible for the government of Ireland. By an immense majority, Parliament has expressed its conviction that this measure is necessary. It is, therefore, only consistent with that opinion that Parliament must also believe that any delay in passing the measure must increase the danger to life and augment the number of murders. Therefore, inasmuch as Parliament is responsible, it is now, I believe, its duty to see that the danger should be minimized as much as possible; and I trust the Government will carry out their intention of appealing to this House to support them in securing that the measure which they consider necessary for the preservation of life shall be passed with as little delay as possible.

Mr. JUSTIN M'CARTHY said, the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had compressed the whole history of Ireland into one single sentence when he said that, but for his Coercion Bill of last year and his police, the hon. Member for the City of Cork (Mr. Parnell) and those who acted with him would have governed Ireland. They had there the whole history of Ireland summed up. It was always owing to some Coercion Bill, and to the police of some unwelcome Government, that Ireland was kept from being governed by the people she would herself select, and the system she desired to have. The right hon. Gentleman told the whole story of Irish rule in that unlucky sentence. The right hon. Gentleman went on to say that he committed his whole career to the judgment of his country. He (Mr. Justin M'Carthy) also left it to the judgment of the country. It showed how Ireland had been governed by Coercion Bills. The right hon. Gentleman said that crime had increased under the Coercion Bill of last year and under similar measures of repression. The Irish Representatives were very well acquainted with that fact. That had always been their case. They had always said that measures like this and a system like this must endanger life, and must increase crime, and every year added fresh evidence to the truth of that assertion. They had now reached the 54th Coercion Bill which had been brought in for Ireland since the Act of Union, and the same appeal was made to them to be quick in passing it, and not to linger in making it law, or crime and outrage would increase in Ireland. The right hon. Gentleman who had just addressed the House spoke of the crimes actually going on at this moment, and the necessity of doing something by special provisions to prevent it. The other day the Irish Members were accused by the Secretary of State for the Home Department of aiding and abetting in crime by delaying the passing of the Bill, while, in the glare of the open sun, men were being murdered in Ireland. If that were true, what would be the use of their sunset and sunrise provisions? He (Mr. Justin M'Carthy) ridiculed the explosion of the right hon. and learned Gentleman to which the Committee had been a witness, and remarked that there was a great deal of artificial passion in the right hon. and learned Gentleman's statement.

The CHAIRMAN: I must point out to the hon. Gentleman that he is not speaking upon the clause at all.

Mr. JUSTIN M'CARTHY said, he was answering speeches which had been made in the course of the debate that morning.

The CHAIRMAN: The discussion has now gone on for some time in that direction, and it is altogether drifting away from the clause. I must now ask that the Question before the Committee shall be followed.

Mr. JUSTIN M'CARTHY said, he was not afraid of declaring that the Irish Members were not offering any factious opposition to the clause. But they felt themselves called upon, by a sense of duty, to oppose that clause of the Bill, and, in performing that duty, to quote the words of Lord Beaconsfield, they were not to be deterred by the menaces of the "Bravo" of the Treasury Bench. ["Oh!" *and cries of* "Name!"]

Mr. REDMOND remarked, that a speech from the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was always an interesting event. The right hon. Gentleman could speak with some authority upon Coercion Acts, and with special authority upon the provisions of this Bill; because, if he (Mr. Redmond) were not labouring under a mistake, this was substantially the Bill which, if he had been permitted by circumstances to remain in Office, the right hon. Gentleman would himself have proposed as the alternative which he mentioned to the House on a recent occasion. [*Cries of* "Order!" *and* "Question!"] He was quite in Order, and he regretted to see that hon. Members sitting on the Treasury Bench were prompting the Chairman to declare that he was out of Order.

The CHAIRMAN: There has been no prompting from the Treasury Bench on the subject of the hon. Member's speech at all.

Mr. REDMOND said, he was glad to hear that. He was not surprised to find that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was willing, and even eager, to support a clause like the present, because the provisions it contained were very much akin to those which he would himself have proposed if he had been permitted to remain in Office. He (Mr. Redmond) quite concurred with the hon. Gentleman the Member for Longford (Mr. Justin M'Carthy) in the remarks his hon. Friend had made in reference to the "explosion" of the Secretary of State for the Home Department. The charge of Obstruction levelled against the Irish Members, in reference to their dealings with this clause, was one which had often been brought against them; but it was a charge which he regarded without the slightest uneasiness. During the whole of last night the same charge had been made, so that it was not one with which they were unfamiliar; and if the Committee imagined that by preferring a charge of Obstruction against the Irish Members they would induce him and his Friends from deviating by one hair's breadth from the course they had marked out for themselves, they were very much mistaken. [*Cries of* "Question!"] The Irish Members felt it their duty to persevere with their opposition to the clause, and with every Amendment proposed to it; and the Committee were greatly mistaken if they believed the Irish Members were going to be put down. They had only one consideration before them, and they believed it to be their duty to the country and to those who had sent them there to represent them to follow it up. He regretted the speech which had been made by the right hon. Gentleman the Chief Secretary for Ireland. He had listened to the right hon. Gentleman's utterances with the greatest anxiety——

MR. BIDDULPH: I rise to Order. I wish to ask you, Sir, and to ask the Committee, if it is not time that this miserable farce should be put a stop to?

THE CHAIRMAN: I have been painfully impressed, for some time past, with the manner in which the Business of this Committee has been conducted. The Bill has been in Committee now for 23 days, and it has been engaged upon this particular clause for 19 hours. A limited number of Members have systematically frustrated the progress of Business by moving a mass of Amendments, some of which are practical and fair, but by far the greater number of which are only intended to raise, by new forms, questions which have already been decided by large majorities of the Committee. These Amendments have been made the occasion for the needless repetition of irrelevant and endless arguments, and, in my opinion, have been deliberately planned in order to waste time. I now think the time has arrived when, if the Committee is to carry out rationally and fairly the duty intrusted to it, it must protect itself by the Rules of the House intended to meet cases of deliberate Obstruction. I must express the sense of the Chair that deliberate and planned Obstruction has existed in the Committee, and I may soon have to indicate to the Committee the names of the Members who, in my opinion, are engaged in systematically pursuing it.

MR. REDMOND: I have listened with the greatest equanimity, Mr. Playfair, to the statement you have just made, because I feel that not one sentence of it refers to me in the slightest degree. You have heard every single remark that I have made, and I appeal to you whether I have wasted the time of the Committee? I will, therefore, pass by the statement you have just made to the Committee with the single remark—[*Cries of* "Order!"]

THE CHAIRMAN: The hon. Member must not discuss the opinion of the Chair. The clause is the only thing before the Committee at the present moment.

MR. REDMOND: As I understand, Sir, your interference in the middle of my remarks—[*Cries of* "Order!" *and* "Name!"]—I assure you, Sir, that I have no desire whatever to overstep the Rules of the Committee, and I am prepared to bow at once to any decision you may give from the Chair. But I must protest against the interruption which cuts a sentence in two, before it is possible for you to know what I was about to say. I will, however, pass from the remarkable statement you have made, and will pursue the argument I was about to address to the Committee, and which I understood you to think was entirely relevant to the clause, because you did not interfere to call me to Order. [*Interruptions.*] Hon. Members opposite seem to be of a different opinion. I have, at least, a right to reply to the arguments of the Secretary of State for the Home Department, and of the Chief Secretary for Ireland. Their arguments have had no weight with me. They can have no weight with the Irish Members—[*Cries of* "Name!"] Hon. Members opposite——

MR. BIDDULPH: I rise to Order.

The CHAIRMAN: I think the time has come when it is absolutely necessary to stop the persistent and wilful Obstruction of the Business of the Committee that has been going on. I severally Name to the Committee as having been engaged in this process of Obstruction, the following Members:—Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan.

Mr. O'DONNELL: That statement is an infamy. [*Cries of* "Name!"] I have been absent all the night, and I have been foully Named as guilty of Obstruction. You sin, Sir, against all the traditions of your Office.

The CHAIRMAN: That particular statement I will report specially to the House; but, in the meantime, I severally Name the Members I have mentioned as having been guilty of systematic Obstruction.

Mr. CHILDERS: I beg to move, Sir, in accordance with your announcement——

Mr. MARUM: Mr. Playfair, I rise to Order.

Mr. CHILDERS: I beg to move, Sir, in accordance with the announcement you have just made, that Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan be severally suspended from the service of the House during the remainder of this day's Sitting.

The CHAIRMAN: The Question I have to put is, "That Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan be severally suspended from the service of the House during the remainder of this day's Sitting."

The CHAIRMAN declared that the "Ayes have it;" and, that decision being challenged, Strangers were directed to withdraw.

Mr. ARTHUR O'CONNOR (speaking seated and covered) said: On a point of Order, Sir—I wish to know whether this vote will affect the Sitting of the Committee only, or the Sitting of the Whole House?

The CHAIRMAN: The Motion must first be made in Committee, and then in the Whole House.

Question again put.

The CHAIRMAN: What hon. Members are desired to tell for the Noes?

Several hon. Members: Mr. Richard Power and Mr. Redmond.

The CHAIRMAN: The Tellers must be Members who have not been Named. I again ask what hon. Members are desired to tell for the Noes?

Mr. CALLAN (speaking seated and covered): Under what Rule of the House do you give that decision? [*Cries of* "Oh!"]

Mr. HEALY: The Rules of the House are done for.

The CHAIRMAN: If the hon. Members who have challenged my decision on behalf of the Noes are not prepared to name Tellers, I must declare that the Ayes have it.

Colonel Nolan and Mr. Synan were then named to be Tellers for the Noes.

The Committee *divided*:—Ayes 126; Noes 27; Majority 99.—(Div. List, No. 212.) [9.40 A.M.

Whereupon the Chairman left the Chair in order to report the said Resolution to the House.

Mr. Speaker having resumed the Chair—

Mr. LYON PLAYFAIR: I have to report to you, Sir, as having abused the Rules of the House by being guilty, in my opinion, of persistent and wilful Obstruction of the Business of the Committee, and as having been Named by me to the Committee accordingly, Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan. The Committee thereupon voted that the Members Named be severally suspended from the service of the House for the remainder of this day's Sitting, and the Sitting of the Committee has been suspended in order that this Resolution should be reported to the House.

SIR JOHN HAY (speaking seated and covered): Mr. Speaker, before you put the Question, I desire to say that I have been twelve and a-half hours in the House, and, as far as I am aware, Mr. Marum and Mr. Callan ought not to be included in the vote.

MR. GRAY (speaking seated and covered): Some of the hon. Members who have been Named were not in the House at all.

MR. HEALY: I am glad that I am in it, anyhow.

MR. SPEAKER: The following Members having been reported to the House as having abused the Rules of the House by being guilty of persistent and wilful Obstruction of the Business of the Committee—namely, Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan, the Question I have to put is, That the Members I have Named be severally suspended from the service of the House during the remainder of the Sitting. As many as are of that opinion say "Aye," and the contrary say "No."

MR. BIGGAR: Mr. Speaker! Mr. Speaker—[MR. HEALY: Go it, Biggar.]

MR. SPEAKER: I think the Ayes have it.

The decision of Mr. SPEAKER having been challenged,

MR. BIGGAR (speaking seated and covered): As a matter of Order, Mr. Speaker, should not the Chairman of Committees have given some reason or evidence on which to ground his Report for the suspension of the hon. Members who have been Named? I can state as a fact that I was not in the House last night from 12 o'clock until 9 o'clock this morning. I can also state that my hon. Friend the Member for Tipperary (Mr. Dillon) is not present, and that he has not been in the House since shortly after 12 o'clock last night. I appeal to you, Sir, whether the Chairman of Committees should not have given some tangible reason for suspending us?

MR. CALLAN (speaking seated and covered): I think it is due to myself to say that while Mr. Playfair was in the Chair I did not open my lips upon this clause during the sitting of the Committee; and, therefore, when he states that, of his own knowledge, I have been guilty of wilful and systematic Obstruction, he states that of which he can have no knowledge, and that which is an utter falsehood.

MR. SPEAKER again put the Question.

MR. CALLAN: Should not the names be put severally? [*Cries of* "Severally, severally!" *from Members from Ireland.*]

The House *divided*:—Ayes 125; Noes 29: Majority 96.—(Div. List, No. 213.) [9.50 A.M.

MR. SPEAKER: In pursuance of the Order of the House, it is now my duty to call upon Mr. Biggar to withdraw.

MR. BIGGAR rose to comply with the direction of Mr. Speaker.

MR. HEALY: Let us withdraw in a body.

The Members whose names were included in the Resolution rose in a body and left the House; Mr. CALLAN, when he had reached the Bar, turning and exclaiming—"I have been suspended upon a false Report made to you, Sir, by a salaried Official of an unprincipled Government."

MR. LYON PLAYFAIR: I have now to Report to the House that Mr. O'Donnell, the Member for Dungarvan, sitting in his place, has insulted the Chair. He said that the action taken by it was "an infamy."

MR. SPEAKER: The proceedings of the Committee having been interrupted by disorder, the House has taken action in the matter by the suspension of the Members who have now withdrawn. The Chairman of Committees has further made a Report, which the House has now heard, in regard to the conduct of Mr. O'Donnell, the Member for Dungarvan. It is for the House to determine what course should be taken in regard to the matter.

MR. SHEIL: I rise to Order. I wish to point out, as a matter of Order, that the words of the hon. Member for Dungarvan (Mr. O'Donnell) were not taken down, and that no Motion was made that they should be taken down. Under these circumstances, is the House entitled to take notice of them?

Mr. SPEAKER: The Chairman of Committees, in pursuance of his duty, has made a distinct Report to the House, and on that Report the House can proceed.

Mr. O'SULLIVAN: On the point of Order, Mr. Speaker, may I ask you, Sir, if the Chairman of Committees was in Order in suspending the hon. Member for Tipperary (Mr. Dillon) in his absence, and having regard to the fact that he had not been in the House since 12 o'clock last night?

Mr. SPEAKER: The hon. Member has risen to a point of Order which does not arise in the matter now before the House. If the hon. Member considers that the Chairman of Committees has exceeded his duty, it is open for him to submit a Motion to the House in the ordinary way, by Notice; but he cannot introduce it into the present debate.

Mr. A. GREY stated, that just before the last division was taken, the hon. Member for Louth (Mr. Callan) crossed the floor of the House to him and said—"If you support this Motion, you will be voting for a falsehood."

Mr. SPEAKER: If the hon. Member desires to make a complaint of that matter, it will be open for him to do so on a future occasion; but the Question now before the House is as to the conduct of the hon. Member for Dungarvan (Mr. O'Donnell).

Mr. CHILDERS: You, Sir, have just received from the Chairman of Committees a Report of certain words used by a Member of this House, who is one of those whose absence from the service of the House during the present Sitting the House has already voted. It is, I need not say, with great hesitation and doubt that I rise to make a Motion upon the subject. There are reasons which will occur to any hon. Member why I should rise with some doubt; but I think there can be no question that, that Report having been made and recorded, as it will be, on our Journals, we should have until Monday to consider what course to pursue. As I think I have the general feeling of the House in favour of that view, I will move whatever Motion, Sir, in your opinion, would be proper to carry out that wish, so that we may have until Monday to consider what course shall be taken.

Mr. SPEAKER: I must point out to the right hon. Gentleman that if he proposes to consider this matter on Monday, he can move that the conduct of Mr. O'Donnell be taken into consideration on Monday next.

Mr. CHILDERS: Yes, Sir; I think that is the right Motion, and I will now move it. I hope by that day we shall be more able to deal with the subject satisfactorily than we could at present.

Sir STAFFORD NORTHCOTE: I will second it, as I think the proposition of the right hon. Gentleman is clearly a right proposition, not only because I believe it to be entirely in conformity with precedent—I believe whenever an hon. Member's conduct is impugned a day should be fixed for considering it—but also because it is necessary for the purposes of justice that the hon. Member should be in his place, and be in a position to offer any explanation or make any statement he may think right. Of course, as the hon. Member has been suspended to-day, he cannot do that now, and we should only be doing a right and fair thing to let the matter stand over to the next meeting of the House, on Monday. We ought not now to prolong what might turn out to be an inconvenient and painful discussion; therefore, I think we should adopt the proposition of the right hon. Gentleman.

Motion made, and Question proposed, "That the conduct of Mr. O'Donnell be taken into consideration upon Monday next."—(*Mr. Secretary Childers.*)

Mr. ARTHUR O'CONNOR said, that the right hon. Gentleman the Secretary of State for War had informed the House that he rose with doubt and misgiving, and confessed that he did not know what was the proper course to pursue. That, however, was not to be wondered at, seeing that the right hon. Gentleman then proceeded to ask the assistance of the Speaker to formulate a Motion for him. It was unprecedented for an hon. Member to get up and undertake the duty of the Leader of the House for the time being in a matter of this kind, and then to have to admit that he did not know what course to pursue. The right hon. Gentleman had proposed that the House should discuss this matter on a future occasion, and the proposal was seconded by the right hon. Baronet the Leader of the Conservative Party. In his (Mr. Arthur O'Connor's) opinion, that was not a proper course.

Hon. Members who were then in the House were the best qualified to judge of the transaction which they had recently witnessed, and Members who might be present on Monday would not be in so good a position to form a judgment on the matter as those then present. It had always been a principle of the House that questions concerning Procedure, Privilege, and the dignity of the House should be treated as matters of Privilege and dealt with immediately. Some time ago, when he (Mr. Arthur O'Connor) had ventured to bring before the House a question of that kind with regard to a certain publication, and when he proposed that it should be taken on the following Monday, as was proposed in this case by the right hon. Gentleman, the Speaker had decided that Privilege must be dealt with at once, and he could not see why the present proceeding should be considered in Order if his proposal to deal with his point some months ago was out of Order. The right hon. Baronet the Leader of the Conservative Party had said it would be only fair to the hon. Member for Dungarvan that he should be in his place to reply to anything alleged against him; but there was no difficulty about that, for it was quite open to the House to vote that the hon. Member be heard now at the Bar, or in his place, as they might think fit. By its action at that moment, however, the House, upon the confession of the Secretary of State for War, had shown that it was scarcely in a frame of mind to deal fairly with this question. The Colleagues and countrymen of the hon. Member for Dungarvan could not carry on the discussion which had been interrupted as they wished, and he, therefore, thought it would be well for the House to now adjourn. If they were to postpone the consideration of a question of Privilege until Monday, they should also adjourn all other Business to the same time. He therefore moved that the House do now adjourn.

MR. GRAY, in seconding the Motion, thought the proposition of the hon. Member for King's County (Mr. Arthur O'Connor), if adopted, was the only way in which the matter could now be treated with justice to the hon. Member for Dungarvan (Mr. O'Donnell). The House was in a peculiar position with regard to the Report of the Chairman of Committees, for it had no official cognizance of the words said to have been used by the hon. Member, for they were not taken down at the time. The Chairman of Committees had, as a matter of fact, exercised his discretion and selected a single word upon which to found his Report; but he had not reported the precise terms or sentences used by the hon. Member. He (Mr. Gray) was not prepared to say whether that course was unprecedented or not; but if it was not without precedent, he hoped it would not be a precedent frequently followed, because it deviated very materially from the lines of justice and fair play. The word "infamy" might, taken in some connections, be very disgraceful, but taken in another connection it might have a totally different application. It might then be an honest expression of opinion and a truth, and might be worthy the approval, and not of the censure, of honest men. There were two courses for the House to pursue, either of which might be taken if it desired to act fairly; one, that hon. Members now present, who heard the expressions of the hon. Member, and who knew the facts which drew forth that expression, and the entire context, should now deal with the subject; the other, that the entire Business of the House should be adjourned. If the House was in a temper at that moment to calmly judge of the guilt or innocence of the hon. Member for Dungarvan, clearly then was the time to act upon the matter, because there was no precise record of the language, and the terms used might escape from the memory of those who heard them by Monday, while those who did not hear them would have no knowledge of them except from the Chairman's Report. If the House was not in a frame of mind to properly and fairly consider that matter, it could hardly pass to the consideration of the much more important Business before the House. He could not see any difficulty as to the hon. Member for Dungarvan having been suspended, because it was open to anyone to move that he should be, at least, heard at the Bar, and he (Mr. Gray) had no apprehension that the hon. Member would not be able to justify his language and to show provocation. He was, however, not concerned in making a vindication for the hon. Member; but he warmly supported the Motion that the House should adjourn, not merely because of the question reported by the Chairman, but also because there was a great deal of important Business in which those hon. Members who had been suspended were deeply interested. To continue the Sitting now would still further aggravate the feelings which the proceedings recently witnessed would create in Ireland.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Arthur O'Connor.*)

Mr. CHILDERS explained, that when he asked the Speaker to indicate certain words for the Motion he wished to propose, he had no doubt at all with reference to the Motion, for he was quite prepared to make a definite proposal; but the case was entirely unprecedented, inasmuch as that a Report had been made by the Chairman of Committees to the Speaker of words used by a Member who had been suspended, and it was important that he should not, on the spur of the moment, formulate a Motion which might not be exactly in accordance with the customs of the House. With regard to the question of adjournment, the hon. Member opposite (Mr. Gray) had asked why the House could not at once deal with the matter in the presence of all those who had heard what the hon. Member for Dungarvan had said? If that were so, that would be an excellent reason against the adjournment; and with regard to the general proceedings of the House, he hoped the House would not agree to the Motion. Having passed this Resolution, which would enable the hon. Member to make his explanation on Monday, the House might now proceed with the Bill, and he, therefore, resisted the Motion.

Mr. O'SULLIVAN supported the Motion, believing that there was a sufficient reason for the adjournment, in the fact that 16 Members had been suspended.

Mr. SPEAKER: The Question before the House is the conduct of Mr. O'Donnell.

Mr. O'SULLIVAN said, he would most respectfully submit that the Question before the House was that of adjournment.

Mr. SPEAKER: The Main Question is the conduct of Mr. O'Donnell, and upon that a Motion to adjourn has been made; but the hon. Gentleman is not entitled to refer to the suspension of the Members.

Mr. O'SULLIVAN said, he would not proceed with that point; but he thought the hon. Member for Dungarvan (Mr. O'Donnell) had very strong ground for objecting to suspension. The hon. Member had left at 12 o'clock, and, therefore, between that time and his suspension, he had no opportunity of addressing the House. That, he thought, ought to be sufficient ground for protesting against his suspension. He also thought the Chairman was wrong in suspending the hon. Member for Tipperary (Mr. Dillon), who also had not been present in the House all the night, not even being in it when he was suspended, and that was an additional reason for adjournment. He should have no objection to the Bill being debated the whole day; but, considering that a serious charge had been made against the hon. Member for Dungarvan, the House ought now to adjourn.

Mr. O'KELLY felt that the House was not in a judicial frame of mind for proceeding with the Bill, having in view the painful scenes through which the House had just passed. The Business of the House could not be properly carried on while a large number of the Representatives of the people were absent forcibly.

Mr. BYRNE also supported the Motion for adjournment, observing that if the Business was proceeded with the hon. Members who were suspended ought to be present. Any hon. Member not having been present during the proceedings of the House for some hours might, on the spur of the moment, use very strong language at finding himself suspended. He believed the House was sufficiently just not to censure a Member for an offence of which he was not guilty, and, until he was proved guilty, he was entitled to fair play.

Mr. SPEAKER: The hon. Member (Mr. Byrne) is bound to confine himself to the Question before the House, which is the conduct of Mr. O'Donnell.

Mr. BYRNE said, he did not wish to travel outside the proper question; but he thought it would be better if the hon. Member for Dungarvan was allowed to come to the Bar and explain his words, and set himself right with the House.

Mr. SYNAN said, he was afraid that opinions and feelings would be expressed in Ireland upon the unprecedented position in which the House had been placed which would go far to disturb peace and order. He thought the Motion for adjournment was only a fair one, because the hon. Member for Dungarvan ought to have an opportunity of defending and explaining his position and his language. An adjournment was desirable in order that hon. Members might have time to consider Amendments, and the singular position in which they were placed, so that they might return to the consideration of this important subject with calm judgment.

MR. SPEAKER: The hon. Member for Limerick (Mr. Synan) is bound to confine himself to the Question before the House, which is the conduct of Mr. O'Donnell.

MR. SYNAN observed that the Secretary of State for War treated this matter as if nothing had happened, in order to dispose, as speedily as possible, of the remaining clauses of the Bill. What effect would those words have in Ireland? Would it not be said that the Members had been suspended in order to hasten the Bill through the House?

MR. SPEAKER: The hon. Member for Limerick is not permitted to discuss the Bill. The House is now considering a point of disorder, and the point immediately before the House is, "That the conduct of Mr. O'Donnell be taken into consideration on Monday next." Upon that a Motion to adjourn the House has been made, and the hon. Member is not entitled to discuss any point upon that Motion, except the conduct of Mr. O'Donnell.

MR. SYNAN asked whether he was not at liberty to give his reasons for supporting the Motion?

MR. SPEAKER: The hon. Member is bound to confine himself to the conduct of Mr. O'Donnell, although a Motion for adjournment is raised upon that Question, and he is bound to confine himself to that Question in any observations he may have to make.

MR. SYNAN appealed to the Prime Minister to state whether he (Mr. Synan) could either support or oppose the Motion for the adjournment of the House?

MR. GLADSTONE: I have no difficulty whatever in answering the appeal of the hon. Member for Limerick. I think that reason and policy support the Rule which has been laid down; and there could be no adequate discussion, even if it were in Order at this moment, under circumstances such as those which took place before I entered the House. The present Motion is, "That the conduct of the hon. Member for Dungarvan be considered on Monday." It is impossible, I think, to conceive a more just, and orderly, and prudent proceeding than to adjourn the consideration of that question until a time when we shall have an opportunity of considering the case fully in our minds. The hon. Member opposite (Mr. Synan) is disposed to support the Motion for adjournment, but not as against the previous Motion, for he expressly says he regards that as reasonable and fair. If it be reasonable and fair, the proper course is to allow the Motion to pass. We shall have an opportunity of considering the case fully before we are required to deal with it formally in debate on Monday. I consider that the Rule of Debate, that on a Motion for the adjournment of the House arising under such circumstances as these, no subject shall be discussed except that which arises out of the Main Question on which the Motion is made, is a reasonable and excellent one. With regard to the adjournment, on its merits I cannot conceal from myself there is no doubt that, if it were not in the direction of reason and order, it could not be accepted. I must point out to the hon. Member for Limerick, and any of those who agree with him, that considering our liberty of debate is at present strictly confined by Rules of the House, in reference to a matter in which I believe the hon. Member agrees that the subject-matter is reasonable, the better course will be, that when the Motion for the adjournment of the question relating to the conduct of Mr. O'Donnell has been agreed to, we should go on with the consideration of the clauses of this Bill in Committee and dispose of it.

MR. LALOR thought the Government would see the great necessity of adjourning.

MR. SPEAKER: The question is the conduct of Mr. O'Donnell.

MR. LALOR said, he did not intend to justify the conduct of Mr. O'Donnell, but the hon. Member had not been in the House since 12 o'clock, and therefore had not opened his lips at the time of suspension. That was not the first time Mr. O' Donnell had been suspended wrongfully and the House had to re-instate him. As he could not enter into the whole facts of the case with reference to other Members, he hoped the Government would see the necessity of consenting to the adjournment, as the House was not at present in a temper to discuss the matter calmly. What would the Irish people think of the suspension of 16 Members?

Question put.

The House *divided:* — Ayes 14; Noes 156: Majority 142.—(Div. List, No. 214.) [10.40 A.M.

Original Question again proposed.

MR. JOSEPH COWEN wished to know if he would be in Order in giving Notice of a Motion, which he would move on Monday, with reference to this proceeding? He understood that, on a Report of the Chairman of Committees, 16 Members had been suspended, and that several of them were not in the House during the proceedings.

MR. SPEAKER: I must point out that the Question before the House is, "That the conduct of Mr. O'Donnell be taken into consideration on Monday next." Any observations by the hon. Member must be confined strictly to that point.

MR. JOSEPH COWEN said, he had no desire to give even an appearance of disobeying the Speaker, and he only wished to ask permission to give Notice that he would move a Vote of Censure upon the Chairman of Committees.

MR. SPEAKER: The Question is, "That the conduct of Mr. O'Donnell be taken into consideration on Monday next."

MR. SHEIL rose to Order, and mentioned that the hon. Member for Dungarvan (Mr. O'Donnell) had used the language complained of after his suspension from the service of the House.

MR. SPEAKER: That question will be taken into consideration on Monday next.

MR. SHEIL said, his point was that Mr. O'Donnell was no longer a Member of the House.

Original Question put, and *agreed to.*

Ordered, That the conduct of Mr. O'Donnell be taken into consideration upon Monday next.

Mr. Lalor

The Entry on the Votes is as follows:—

The Chairman having called the attention of the Committee to the evidence of the long continued and increasing obstruction to the business of the Committee, which, after twenty-three days' sittings, had culminated in the discussions upon the present Clause, said the time had now arrived when he was persuaded that the Committee, having full knowledge of these proceedings, would support him if he proceeded to Name the Members who had taken the most prominent part, in persistently and wilfully obstructing the business of the Committee.

And the Chairman thereupon proceeded to Name severally:—

Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan, for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee:—

Motion made, and Question put, "That Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan be severally suspended from the service of the House during the remainder of this day's sitting:"—(*Mr. Secretary Childers:*)—The Committee *divided;* Ayes 126, Noes 27.

Whereupon the Chairman left the Chair in order to report the said Resolution to the House.

Mr. Speaker resumed the Chair, and Mr. Playfair reported to Mr. Speaker that Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan had been severally Named by him to the Committee for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee, and that the Committee had resolved that Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan be severally suspended from the service of the House for the remainder of this day's sitting.

Mr. Speaker thereupon forthwith put the Question to the House, "That Mr. Biggar, Mr.

Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan be severally suspended from the service of the House during the remainder of this day's sitting:"—The House *divided;* Ayes 125, Noes 29.

Mr. Speaker then directed Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan to withdraw, and they withdrew accordingly.

Mr. Playfair then reported to Mr. Speaker that Mr. O'Donnell, the Member for Dungarvan, sitting in his place, had insulted the Chairman, saying that the action taken by him was an infamy.

Mr. Speaker thereupon addressed the House, and stated that it was his duty, in consequence of the Chairman's report, to submit the conduct of Mr. O'Donnell to the judgment of the House:—

Motion made, and Question "That the conduct of Mr. O'Donnell, be taken into consideration upon Monday next:" — (*Mr. Secretary Childers:*)—

Whereupon Motion made, and Question put, "That this House do now adjourn:"—(*Mr. Arthur O'Connor:*)—The House *divided;* Ayes 14, Noes 156.

Original Question put, and *agreed to.*

Ordered, That the conduct of Mr. O'Donnell be taken into consideration upon Monday next.

Then the House again resolved itself into the Committee on the Bill.

[10.55 A.M.

The Chairman of Committees in the Chair.

(In the Committee.)

Question again proposed, "That the Clause (17), as amended, stand part of the Bill."

Mr. GRAY moved that Progress be reported, believing that the circumstances justified a Motion of that character. The House had been sitting since 2 o'clock on the previous day, and the Irish Members had remained up all night to discuss a Bill in which they were deeply interested. They had not moved a single Motion of this character, lest they should be accused of obstructing the Business; but the circumstances which had happened justified the Motion. Many of the Members who had been suspended took no part in the proceedings in Committee.

The CHAIRMAN: The hon. Member for Carlow cannot discuss the suspension of hon. Members on this Motion.

Mr. GRAY repeated that 16 Members who were deeply interested in the Bill had been suspended, and he thought that was a sufficient reason to induce the House, if it desired that the Irish people should consider that their interests had received fair play, to consent to this adjournment. He thought the proceedings had been most unjust and impolitic, and that they would not tend to allay popular discontent in Ireland.

The CHAIRMAN: Order! Order! The hon. Member for Carlow must simply discuss the Motion for Progress; he cannot discuss the suspension of Members.

Mr. GRAY said, he would not discuss that matter; but seeing that the Committee had been discussing the Bill since 2 o'clock yesterday, with the exception of an interval of two hours, and that a considerable number of Amendments had been accepted by the Government, or otherwise disposed of, there was abundant reason why Progress should be reported. To continue the Sitting would not tend to the pacification of Ireland; but it would tend to facilitate the progress of this Bill through the House if the Government would consent to act in a reasonable manner, instead of adopting a high-handed course.

The CHAIRMAN: Order! Order! The hon. Gentleman (Mr. Gray) is thoroughly out of Order, and I must ask him to confine himself to the point before the Committee.

Mr. ARTHUR O'CONNOR: Will you kindly inform me in what respect my hon. Friend the Member for Carlow has offended?

The CHAIRMAN: Order! Order! If the hon. Member for Carlow wishes to discuss the postponement of this particular clause, he is at liberty to do so.

Mr. GRAY said, he confessed to a more than ordinary amount of stupidity this morning; but he had the strongest desire to adhere to any ruling which the Chairman might lay down, whether it commended itself to his judgment or not.

The CHAIRMAN: If the hon. Gentleman the Member for Carlow desires to know what I call him to Order for, it is this. He implies that there was a pre-arranged concert to bring about the present state of things. There was no such pre-arranged concert, and the hon. Gentleman was discussing the suspension indirectly.

Mr. GRAY said, he would only appeal to the Government not to pass this Bill by dint of their majority; but to show a little fair play to the Irish Members, who were so much interested. They would do far more to strengthen their position by that means than they could possibly do by merely using the brute force of a majority, which could not command any sort of respect from men of fair-dealing and honest intentions. He moved that the Chairman be directed to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gray.*)

Mr. DODSON: The Government are not prepared to assent to that Motion. They hope the Committee will address itself to the clauses of the Bill, and proceed with it in a business-like fashion. It has been used as an argument that certain hon. Members have been suspended, and, therefore, the Sitting should not be continued, but Progress should be reported. I would only point out that those hon. Members have been suspended from the service of the House during the Sitting of the House, and if the House should now be prepared to terminate its Sitting it would be stultifying itself.

Mr. SYNAN said, he did not know what were the right hon. Gentleman's (Mr. Dodson's) ideas of "a business-like fashion;" but they seemed to consist solely of a desire for expedition. He (Mr. Synan) did not know whether it was to be considered business-like that a number of Members should be taken by surprise, and the Bill rushed through Committee there and then. The expulsion of those Members had certainly filled him with surprise.

The CHAIRMAN: Order, Order! I must point out that the Question before the Committee, and the only question that can now be discussed, is that Progress be reported on this particular clause. I cannot allow any reference to be made, or any discussion to be taken, upon the suspension of Members.

Mr. SYNAN said, he wished to remind the Chairman that the Rules of that House were to be applied with indifference to every Member of the House. The Chairman had allowed the right hon. Gentleman the President of the Local Government Board (Mr. Dodson) to refer to the suspension of Members. On what principle was he (Mr. Synan) to be refused permission to answer him?

The CHAIRMAN: The right hon. Gentleman (Mr. Dodson), in one single sentence, referred to an argument which has been repeatedly brought forward, and which is out of Order. The hon. Gentleman (Mr. Synan), in discussing that question, is perfectly out of Order.

Mr. SYNAN said, that he also had only referred to it in a single sentence. This was not the way in which the Business of the country should be carried on. He supported the Motion for Progress in order to give a chance for a proper discussion of the clause, which could not possibly be had while 15 or 16 Members whose presence was necessary were absent. He wanted to know why the Head of the Government was not there to argue the matter? If that were English or Scotch Business, the Motion for Progress would not be resisted; it was only resisted because it was Irish Business.

Mr. ARTHUR O'CONNOR thought they had very good reason for reporting Progress, for the House had decided to postpone the consideration of the case of the hon. Member for Dungarvan (Mr. O'Donnell), in order that it might have time to consider the situation. That was precisely the consideration which weighed with the Irish Members—they wished to have time to consider their position, which hon. Members, on whichever side they sat, would admit to be one of considerable difficulty. The Constitutional rights of a number of the Irish constituencies had been suspended, and it was the duty of those Irish Members who remained in the House to do what they could in defence of those constituencies. When the Irish Members found themselves reduced to a mere handful of men—and those not among the Members who best understood and had most thoroughly considered the details and provisions of the Bill—it was only reasonable that they should make an appeal, and that that appeal should be listened to by the Committee.

SIR JOHN HAY trusted that, before the Motion was put, they would hear from the Government that they proposed to go through with the Committee, and to finish the Bill before they rose. He said that after sitting there for more than 14 hours. He would not allude to what had passed; but, in the position in which they now found themselves, and looking at the condition of Ireland, he believed they would be stultifying themselves before the country if they did not make up their minds to sit through that day, and even through Sunday if it should be necessary. He reminded the Committee that the Battle of Waterloo was fought on a Sunday; and he trusted that this Sitting would not terminate until the Bill had passed through Committee.

SIR GEORGE CAMPBELL said, that whether they went through all the clauses or not, no man could say that Clause 17 had not been sufficiently discussed.

MR. BLAKE said, he had not spoken a single word before during the whole of that debate, and he could not be said to have offered any obstruction whatever. Sixteen hon. Members of the House had been suspended, and among them were the framers of some of the principal Amendments. Those hon. Members who were still present were not, he believed, in a position to deal with those Amendments; and he thought an opportunity should be given for those who were absent to come back before those important Amendments were disposed of. He was, therefore, of opinion that the proceedings of the Committee ought to be suspended until Monday.

MR. M'COAN said, he would give utterance to a similar plea for the indulgence of the Committee on the ground that he had taken a very moderate share indeed in the discussions on this Bill, and had not placed upon the Paper a single Amendment which, by any perversity of interpretation, could be regarded as obstructive. But when he came down that morning, and heard what had taken place, the impression produced on his mind was not such as to conciliate his own further action towards the Government.

THE CHAIRMAN: Order! Order! The hon. Member (Mr. M'Coan) must not discuss the question of the suspension of Members. The Question before the Committee is simply whether Progress should be reported or not?

MR. M'COAN said, he was not going to discuss that question; but he thought the Government had acted with great unwisdom in the course they had taken. Unless the appeal now made to them to report Progress was acceded to, it would become his duty, as it would be his inclination, to take up such an attitude towards them on the remaining clauses as moderate men like himself had not hitherto taken.

THE CHAIRMAN: Order! Order! The hon. Member is discussing the question of what has occurred. He must confine himself to the Motion before the Committee.

MR. M'COAN said, he had not had the same feeling against the Bill as many other Irish Members, for so far as it was levelled against crime, it had his sympathy and support—he only opposed it so far as he found it unnecessarily levelled against the liberties of the Irish people. This 17th clause had largely commanded his sympathy, because it was intended to compel the large mass of the Irish people to range themselves on the side of law and order, and lend themselves to both the detection and the prevention of crime. He had admired the patience with which the Government had borne the obstinate opposition offered to the clause, and he regretted that they had not carried their forbearance a little further until the other clauses, to which comparatively little opposition would have been offered, had been reached.

MR. SHEIL said, the hon. Gentleman who had just spoken (Mr. M'Coan) had declared that he supported the Bill so far as it was levelled against crime. Still, neither the hon. Member's support, nor his opposition, seemed to be very staunch—he had acted in a very half-and-half spirit.

THE CHAIRMAN: Order! Order! That is not the Question before the Committee.

MR. SHEIL said, the right hon. Gentleman the President of the Local Government Board (Mr. Dodson) had come up smiling—and very naturally, for he was fresh and vigorous — and had genially told them to get on with their Business in a business-like way. But other hon. Members had been here for hours and hours discussing the Bill. It was all very well for Gentlemen to come down, like most of those he saw sitting opposite, and to talk about making progress when they had not heard a word of the discussion on this 17th clause. If the Irish Members were to do rightly, they would repeat all the arguments for the benefit of those hon. Gentlemen who had not heard them. He would not refer to the scene that had occurred; partly, because it was out of Order, and, partly, because the Chairman's own conduct would be inquired into on Monday.

THE CHAIRMAN: Order! Order! The hon. Member is referring to what has taken place, and is quite out of Order.

MR. SHEIL: I was referring to what will take place on Monday. Is that out of Order?

THE CHAIRMAN: It has nothing to do with the clause or Motion before the Committee.

MR. SHEIL went on to urge that many hon. Members who had sat all through the night were not physically able to carry on the discussion, and Progress ought to be reported on that account. The right hon. and gallant Member for Wigtonshire (Sir John Hay), speaking as a Scotch Member, had told them that as the Battle of Waterloo was fought on a Sunday, they ought to repeat the performance in that House. No doubt, it was a very gallant thing to carry on the fight against the four or five men left, when all the rest had been put to flight by a process to which he would not make further reference.

MR. MACFARLANE thought the majority were really demoralized. He suggested that when the clause under discussion was disposed of, they should report Progress before taking up the 18th, or else an unfair advantage would be taken of the position of the Irish Members. It was not desirable that clauses should be rushed through under such very disadvantageous conditions. He had been absent from 12 o'clock to 9, and, therefore, although he was not given to obstructive conduct, it was only an accident that he was not with his hon. Friends outside.

SIR PATRICK O'BRIEN said, he had not interfered much in the course of the debate; but he could not give any support to this clause. He believed in the maxim that, rather than have one innocent man suffer, many guilty should be allowed to escape; and, certainly, under this clause, though individually guilty men might be caught by it, large numbers of innocent people would suffer enormously. He would not go into the question of the unhappy circumstances which had occurred during his absence from the House, or say whether the course pursued had been right and justified, or harsh and oppressive; but he asked the Government to look at the larger question of the convenience of hon. Members, which was much invaded by their being kept here to march through the Lobbies every now and then. He did not, however, complain of that, though he had been one of the humble cavalcade himself; but he asked what would be its effects upon the country for which they were legislating? The Irish people would read in the public journals accounts of what had happened, and would that be likely to tend to quieten the country? Under all the circumstances, he felt bound to support the Motion for reporting Progress.

MR. W. H. SMITH: I have listened with great attention to the speeches of hon. Gentlemen who have recently addressed the Committee, and I differ entirely from their view. I venture to think that they make slightly too much of the hon. Gentlemen who, unfortunately, have been suspended; for we must think, in the first place, of the condition of Ireland. It is the condition of Ireland which has made it necessary for the Committee to consider a Bill which none of us would have wished to see introduced, if it had been possible to do without it; but, unhappily, the necessity is overwhelming. Of that we have had ample evidence from Members of Her Majesty's Government; and even if that evidence had not been presented to us, every newspaper which has been put into our hands has brought to us a tale of sorrow, wickedness, and mischief which ought to bring home to every one of us a sense of the duty incumbent upon us to take all possible steps to put an end to a reign of terror which is a disgrace to civilization. This measure is not intended to restrict the liberty of law-abiding citizens, but is a measure for the protection of law-abiding citizens—for the protection of the honest and the well-doing; and we should fail miserably in our duty to the country if we spared any effort, exertion, or sacrifice in order to pass this Bill—while, of course, giving ample, careful, and deliberate consideration to its clauses—as speedily as possible.

Mr. O'SULLIVAN supported the Motion for reporting Progress, for the suspension of a certain number of Members——

The CHAIRMAN: Order! Order! The hon. Member must not go into that.

Mr. O'SULLIVAN said, the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) had been permitted to refer to it. However, he supported the Motion for Progress, because there were many strong and urgent reasons against passing a clause which proposed to levy a blood tax upon the country, and because many reasonable Amendments which had been proposed had been rejected by Her Majesty's Government. He thought the clause, as it stood, was far too severe. It was all very well to talk about sitting till the Bill was finished, and sitting, as a Scotch Member (Sir John Hay) had advised, all day on Sunday if necessary; but how would that tell upon the country—upon the people of Ireland—upon the Irish people in America and in Great Britain—aye, upon the people all over the world?

Mr. GIBSON: I can tell the hon. Member how I think it will be regarded by every sensible man. If the Committee consents to do what is suggested —namely, to report Progress when this clause has been passed—it will amount to an admission that the House was satisfied, after an 18 hours' discussion, with carrying one clause—to a declaration that when, under circumstances not now to be discussed, certain hon. Members have been suspended, the House of Commons has seen fit to suspend its own functions and labours in the face of a crisis of unexampled importance, and, at the close of the month of June, when I believe more agrarian murders have been committed in Ireland within a month than have ever been committed within a similar period, with one exception, for the last 40 years, and when a new form of agrarian crime, of exceptional and appalling barbarity, has been developed and reported within the last few days—the crime of setting fire to houses in which outrages have been committed, and leaving the inmates to be burned alive if they cannot manage to escape. How will the case be regarded if the House of Commons is satisfied, in the face of this crisis, not to make, at all events for once, some reasonable progress with the Bill under discussion? Is there any man in this country capable of thought who will be content to see the House of Commons yielding to its difficulties, instead of grappling with them? If all our prolonged labours and Sitting, and the incidents that have marked this prolonged Sitting, are to culminate in the passing of one single clause, the conclusion will not only be lame and impotent, but it will subject this House, and all connected with it, to contempt. I quite admit that no rash, no unreasonable, no unbecoming progress should be made; but my one simple contention is this, that the House of Commons is bound to be justified in its own eyes by the progress which the exigencies of the position demand from us; and it will not be justified by the mere passing of a single clause, or anything at all like it.

Mr. W. J. CORBET said, he had not opened his mouth once before since the Bill came before the Committee, and he did so now only because he wished to make a protest against what had taken place this morning.

The CHAIRMAN: Order! Order! The hon. Member cannot make his protest on what has taken place. That is not before the Committee. He must keep to the matter before us.

Mr. W. J. CORBET said, then it was quite plain that all discussion was to be stopped and stifled.

Mr. BYRNE said, the right hon. Gentleman the President of the Local Government Board (Mr. Dodson) had advised them to be business-like. It required no great stretch of imagination to imagine a place where the right hon. Gentleman himself had done business in a business-like manner, and that was the city of Chester. He (Mr. Byrne) wished to divest this 17th clause from all the romance with which it had been invested by the right hon. and learned Gentleman the Secretary of State for the Home Department, who had protested against the notion that this blood tax was a matter of money—a matter of business. With all respect for the opinion of the right hon. and learned Gentleman, he (Mr. Byrne) would say that it was a pure matter of pounds, shillings, and pence. The people who touched blood-money would go down with detestation to generations yet unborn. He supported the Motion for reporting Progress; and he would remind the Committee that when, two years ago, at the suggestion of the right hon. Member for Bradford (Mr. W. E. Forster), they sat until Sunday morning, the result was that the Bill on which they were engaged was cast out in "another place;" and it was very properly cast out, if for nothing else than the desecration of the Sabbath.

MR. GLADSTONE: After what has been said by the hon. Gentleman the Member for the County of Limerick (Mr. O'Sullivan) and by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), I want to say a few words. It has already been understood that we cannot assent to the Motion for reporting Progress, or to the proposal to stop with the passing of the clause under notice. It is quite impossible for us to consent to arrest the progress of the Committee there. The course which we do propose to take is this. We shall go on with the Bill, and we hope the effect will be to give us some results of this lengthened Sitting analogous to what might have been attained in an ordinary full measure of an ordinary Sitting. We shall watch the progress of the Bill, and the general sense of hon. Members as to the course to be pursued, and perhaps we shall make some further announcement when the afternoon is further advanced. Taking all the circumstances into view, I am bound to say that the Government, during the interval, will watch the progress made, and will very carefully consider, as it is their duty very carefully to consider, another question. Last Session the House did make a provision for expediting the progress of very important Business. Circumstances of very great difficulty have now arisen, and it will certainly be our duty to consider materially, and to inform the House of the result, whether the time may not arrive when the House might contemplate the revival of that important provision, so that, by Rules more stringent than those we have in ordinary use, we might be able to fix some absolute time for limiting the discussions upon this Bill. No matter can be more important in the present deplorable condition of Ireland, which has done so much during the past few weeks to darken the prospect before us.

MR. SHEIL: Will the Prime Minister give us some kind of idea as to the hour at which he will consent to report Progress?

MR. LABOUCHERE, though he was one of those who would do his best to make a Coercion Bill exceedingly difficult for any Government to pass, and though he believed the Irish Members had been somewhat hardly treated, and their motives and intentions not thoroughly understood, confessed that a fair and reasonable amount of progress ought to be made during any Sitting. He, therefore, believed it to be a mistake to ask the Committee to report Progress before a vote had been taken on the clause. He could understand the Prime Minister refusing to say at what hour they should bring their labours to a close, because, when a time was once fixed, that very fact often led to more exhaustive discussion; but when they had voted on the clause, he thought they might fairly ask the Prime Minister about how far he considered the Bill ought to be carried during the present Sitting. [An hon. MEMBER: Finish it!] An hon. Gentleman said "Finish it." There were some persons who were more Royalist than the King. The right hon. and learned Member for the University of Dublin (Mr. Gibson) would not say, for a moment, that the Bill ought to be finished at the present Sitting, because there were original clauses put down by the right hon. and learned Gentleman the Attorney General for Ireland (Mr. W. M. Johnson), who seemed to be one of the greatest Obstructives in the House, that unquestionably required very serious discussion. He (Mr. Labouchere) could assure the Prime Minister that he was speaking with a desire to avoid any of those scenes which they all so much regretted —he was speaking with a desire to have some sort of *modus vivendi* in regard to this Bill. He would suggest to the hon. Member for Carlow (Mr. Gray) that he should withdraw his Motion.

MR. GRAY said, he could not withdraw the Motion. After the speech of the right hon. Gentleman the Prime Minister, he thought it was necessary that a division should be taken upon it, because it was the only method open to Irish Members to record their opinion of these proceedings. He knew from his own knowledge that it was arranged that a division should be taken about five minutes from the time when the proceedings were interrupted. So far as the Irish Members were concerned, they would continue to do what they believed to be their duty, without paying any regard to what seemed to be something like a threat in the speech of the Prime Minister. They would discuss the Amendments in the same spirit as heretofore, at such length as they might consider their importance necessitated, altogether irrespective of the consesequences, whether of the introduction of the new Rule of Urgency to suspend Members who might differ from him, or whatever else he might do.

Question put.

The Committee *divided:*—Ayes 16; Noes 159: Majority 143.—(Div. List, No. 215.)

Original Question put.

The Committee *divided:*—Ayes 158; Noes 19: Majority 139.—(Div. List, No. 216.) [12.10 P.M.

PART IV.

SUPPLEMENTAL PROVISIONS AND DEFINITIONS.

Clause 18 (Punishment for offence against this Act).

MR. M'COAN hoped the Committee had now reached an Amendment which, without much advocacy from himself or his hon. Friends, would commend itself to the good sense of the Government. The words of the Amendment, he need hardly inform the Committee, were not his own, but were taken textually from the Trades Union Act; and, inasmuch as the Committee had just heard from the Prime Minister that he was disposed to follow generally the lines of that Act, he (Mr. M'Coan) hoped the Government would accept the principle, if not the exact words, of the Amendment he had placed on the Paper. The clause, as it stood, imposed a penalty for an offence against the Act of imprisonment, with or without hard labour, for a term not exceeding six months. He was not exceeding the probabilities of the administration of this Act when he said that, in the great majority of cases, the actual penalty inflicted would be imprisonment with hard labour for six months. When the Committee remembered that some of the offences created by this Bill were, morally speaking, but slight offences, they would admit that six months' imprisonment with hard labour was a very heavy penalty. He would not weary the Committee by going through the list of offences created by Clauses 4, 5, and 6 of the Bill; but in support of his Amendment he would remind the Committee that, under Sub-section (*d*) of Clause 5, it was an offence to commit even a technical assault on any constable, bailiff, process-server, or other minister of the law; and for such an offence any person was liable to imprisonment for six months with hard labour. Unless the intention of the Government, in pressing on that legislation, was to act with a degree of severity amounting to cruelty, he hoped they would accept some mitigation of the penalty, and he hoped so all the more confidently because the Prime Minister himself had declared his willingness to follow the lines of the Trades Union Act.

MR. GLADSTONE: With such adaptations that are necessary for the circumstances of Ireland.

MR. M'COAN admitted that the cases were not exactly on all fours; but he failed to see any reason why there should be a substantial difference of punishment. The punishment provided by the Trades Union Act was found to be abundantly adequate for even the gravest cases under that Act. Three months' imprisonment with hard labour was no trivial matter, and he considered it would be amply sufficient for such offences as those enumerated in Clauses 4, 5, and 6 of the Bill. He submitted his Amendment with confidence, and its acceptance by the Government would be a concession to the Irish Members, and through them to their constituents, which would be very gratefully appreciated.

Amendment proposed,

In page 9, line 10, to leave out all after "shall," to end of Clause, and insert "if summarily convicted be liable either to pay a penalty not exceeding twenty pounds, or to be imprisoned with or without hard labour for a term not exceeding three months."—(*Mr. M'Coan.*)

Question proposed, "That the words 'be liable' stand part of the Clause."

Mr. SYNAN said, he did not see why the punishment under this Act and under the Trades Union Act should not be assimilated. A moment ago the Prime Minister admitted that he had used the words attributed to him by the hon. Member for Wicklow (Mr. M'Coan); but the right hon. Gentleman qualified his admission by stating that the circumstances of the case must be taken into account. It was for the Government to show that the circumstances of Ireland were more aggravated than those with which the Trades Union Act was intended to deal. He (Mr. Synan) ventured to say that the right hon. Gentleman the Prime Minister would not find any such difference in the circumstances as would warrant an increased punishment for the offences under this Act.

Mr. TREVELYAN said, he had not risen earlier, because he thought that, on the main point raised by this clause, there could be no doubt as to what were the intentions of the Government. The power of summary jurisdiction, he took it, was regarded by every hon. Member present as an extremely important part of the Bill. If the Government were prepared to accept the very sweeping and important Amendment in the scale of penalties, which could be imposed on summary conviction, they would show considerable weakness. The hon. Member for Wicklow (Mr. M'Coan) had quoted some words of the Prime Minister which he (Mr. Trevelyan) was certainly not competent, at that moment, to explain. The Prime Minister had supplied a most important reservation to these words; and it appeared to him (Mr. Trevelyan) that the first adaptation which the circumstances of Ireland required was that the people should know that the punishment under this most important and exceptional Bill should be certain. It would be very unwise to persuade the people that, in the case of some weak magistrate, they might escape with some money punishment. It could not be said that the limit of punishment laid down in this clause was exceptionally severe, for if the Committee looked at the powers of punishment given by the Petty Sessions Act, they would see that Justices in Petty Sessions had power to impose penalties as severe for offences not more heinous than those contemplated by this clause. By the Habitual Criminals Act, 1869, any person who assaulted a constable while in the discharge of his duty might be, on summary conviction, imprisoned for six months' with hard labour. It must be remembered what the offences under this Act were, and how grave they were. The hon. Gentleman spoke of them as light offences; but what were they? They were—Intimidation, riot, or unlawful assembly, forcible possession, assaults, cases of grievous bodily harm, assaults on constables, taking part in prohibited meetings, being out in a proclaimed district at night, being a member of an unlawful association. The hon. Members who had spoken on this clause must remember that not only was he able to argue that a Justice in England could, on summary conviction, impose severe punishment; but he was able to argue that in England very heavy punishment indeed could be given for offences under indictment. This Bill was specially framed to meet the difficulty of Ireland, which was the impossibility of convicting on indictment; and, therefore, if he was able to show that not only as heavy, but heavier punishment, was given in England for indictable offences, he had a right to ask that substantial punishment should be awarded in Ireland on summary conviction. The Government, however, was willing to make one relaxation, which he thought would meet the general sense of the Committee. The Government was of opinion that in regard to the 7th clause, considering that the question was not one of a riotous meeting, but a meeting which the Government prohibited for the general safety, three months' imprisonment with hard labour would be an adequate punishment to impose upon any person attending such meeting. A person who was out after sunset under suspicious circumstances, and for the commission of crime, ought to be punished, and punished severely; but the Government felt that in the case of men who were merely out under suspicious circumstances, it would be sufficient to provide a punishment of three months' imprisonment with hard labour. If this punishment were enforced rigorously, his belief was that it would be found quite ample. With the exception of these alterations, the Government meant to adhere to the scale of punishment provided in the Bill.

MR. ARTHUR O'CONNOR said, he did not think the Chief Secretary for Ireland could really expect the Irish Members or the Committee to set great store on the concession which he had said the Government were prepared to make. What did that concession amount to? If a man attended, it might be through curiosity, a meeting which the Lord Lieutenant had declared he considered likely to prove dangerous to the public peace or safety, he should not be sentenced to imprisonment for a longer term than three months; and the second concession was that, if a man were found out after dark under suspicious circumstances, he also should not be liable to imprisonment for more than three months. But what were suspicious circumstances? In this country it was a suspicious circumstance to be well known to the police; in Ireland the police would regard it as a very suspicious circumstance if they met, after dark, a man whom they did not know. Therefore, if a man were travelling in Ireland, in a district where he was not well known to the police, and he was met by a policeman, he would be liable to imprisonment for a period not exceeding three months, and the Chief Secretary for Ireland expected the Irish Members to consider that a concession to that effect was to be regarded as a very important alteration in the attitude of the Government. There were other offences under the Bill, for which this clause provided a punishment of six months' imprisonment. One was intimidation. Now, intimidation was an offence of a very elastic character. Under the provisions of this Bill—

> "Every person who wrongfully and without legal authority uses intimidation, or incites any other person to use intimidation, firstly, with a view to cause any person or persons, either to do any act which such person or persons has or have a legal right to abstain from doing, or to abstain from doing any act which such person or persons has or have a legal right to do . . . . shall be guilty of an offence against this Act."

If a man had a marriageable daughter who was over 21 years of age, and that daughter proposed to marry the man of her choice against the will of her father, and if the father threatened her with the loss of her dowry, he would be guilty of the offence of intimidation; he would be endeavouring to induce his daughter, of full age, to abstain from marrying the man she wished, a thing she had a perfect legal right to do. The next clause furnished the Committee with another specimen of what were offences against the Act. It was an offence against the Act for which a man might be sentenced to hard labour for six months, if he committed an assault upon "any constable, bailiff, process server, or other minister of the law." There was one very peculiar feature about this clause, and it was this—that it entirely differed from clauses in the Act relating to this country. By the 32 & 33 *Vict.* c. 39—the Habitual Criminals Act—assaults on policemen were provided for under that Act; a person who assaulted a constable when in the discharge of his duty should, on summary conviction by two or more Justices, be liable either to pay a penalty not exceeding £20, or to a term of imprisonment not exceeding six months, with or without hard labour. The peculiar feature of the clause in this Bill was that it was not necessary that a man should assault a constable when in the execution of his duty; and if a constable, bailiff, process-server, or other minister of the law was assaulted, no matter when and to what extent, he could have his assailant before the Justice and cause him to be imprisoned for six months with or without hard labour. The Chief Secretary for Ireland felt the injustice of the difference which it was proposed to establish between the two countries, and he said the Committee must consider the summary convictions in Ireland as corresponding with convictions on indictment in England. Nothing was more monstrous than to take such a view of the matter. Why were they to regard such petty offences as he had referred to, committed in Ireland, as of the same heinous character, and punishable in the same severe manner, as such crimes as attempts to murder and assaults to do grievous bodily harm committed in this country? He (Mr. Arthur O'Connor) did not think that even the Chief Secretary for Ireland considered that the concessions he had announced were at all such as the Irish Members might fairly expect from the Government. He thought the Government might fairly concede that any assault for which a man should be proceeded against under the clause should necessarily be of a very serious and aggravated character; but, no doubt, any observations he had to make on this matter would more properly be made on a subsequent Amendment.

Mr. O'SULLIVAN supported the Amendment, which would only alter the clause insomuch that it would reduce the penalty to be imposed under it. The Amendment was so reasonable that he could not understand how the Government could reject it.

Mr. LALOR said, the Chief Secretary seemed to forget altogether that this Bill created crimes that had hitherto been utterly unknown in Ireland. There were instances where the police had prosecuted children and others for such offences as whistling "Harvey Duff," and offences of this character would be constantly brought before the Court under the Act. Under the circumstances the Amendment was very fair and reasonable.

The SOLICITOR GENERAL for IRELAND (Mr. Porter), in reply to the hon. Member for Queen's County (Mr. Arthur O'Connor), said, that the punishment attaching to similar offences under the ordinary law were more severe than had been mentioned. It was intended to move the Amendment carrying into effect the concession made on the part of the Government upon the Report.

Mr. MACFARLANE said, there could be no denying that the Government made a very substantial concession when they changed the provision of this clause, inflicting six months' imprisonment on those who were guilty, into three months' on those who were not guilty of anything. But what he should like to see was that those who were not guilty of anything should receive no punishment whatever. He would suggest, therefore, that the Government should go still further in regard to this second class of persons and remove from their case the infliction of hard labour.

The CHAIRMAN: There is an Amendment to that effect upon the Paper.

Mr. BYRNE said, the clauses of the Bill were so stringent and comprehensive that they would include the most trivial offences, and it would be very unjust and unfair to inflict the extreme punishment of six months' imprisonment in the case of offences so small in themselves as whistling a tune to which the police might object, or attending a meeting which was proscribed, but which the person charged might not have known was proscribed, as, naturally enough, he might never have seen the notice in the newspaper. Therefore he asked the Government if they would not go a little further and accept this Amendment?

The ATTORNEY GENERAL (Sir Henry James) said, it appeared to the Government that some of the offences under the 4th, 5th, and 6th clauses of the Bill might be of a very aggravated character; and, as they were creating a special tribunal, with a special jurisdiction to try persons charged with those offences, it would be absurd if they did not provide punishment to some extent adequate to the offence. They had to deal with the maximum offences, as well as the small offences, and, in order to meet them, they must have this maximum punishment in the Bill. They must, by legislation, assume that the law would be administered justly, and they were not to assume that it would be administered unjustly. By the Act of 1870, the punishment was six months with hard labour; and the Government, in reference to the 7th and 8th clauses, had altered that to three months with hard labour. The object of the Bill was to let persons know that, under the exceptional circumstances of Ireland, these matters which were dealt with as offences under the Act were crimes. This was the object of the Bill, that while these exceptional circumstances existed, the Legislature regarded these offences as crimes; and, in order to effect that object, it was absolutely essential that adequate punishment should be provided. A small money penalty might be no punishment at all; because it might be paid by a third party, and in that way it would not be regarded as a punishment.

Mr. SYNAN said, that, in his apprehension, the statement that aggravated crimes—which, perhaps, would be the subject of indictment—would be contained under Clauses 4, 5, and 6 of this Bill, was no justification at all for applying the punishment of six months' imprisonment with hard labour to offences such as "Boycotting" and exclusive dealing, which, if the Bill did not become law, and unless they had assumed a serious character in some cases in Ireland, would never have had the expression of "crimes" applied to them. Now, was it not in the power of Her Majesty's Government to settle proportionally the punishment adequate to each of the offences? For the large offences, the punishment of six months' imprisonment was possibly too small, and for the small offences it was possibly too great; and, certainly, if it was left to the discretion of the magistrates in Ireland the consequence would be that they would visit every offence with the full punishment, or something like the full punishment. Why were such offences as exclusive dealing to be punished with hard labour for six months, without the alternative of paying a fine? It was not stated absolutely, but insinuated by the hon. and learned Attorney General for England, that the reason for that was that some third parties would come forward and pay the fine, and that the awarding of a fine would be no punishment at all. There was no evidence of that. There had been no justification given for the punishment proposed, and the Amendment ought to be accepted.

MR. GRAY quite agreed with the hon. and learned Attorney General for England that some of the offences that might come under these clauses might be of a very serious character, and require very serious punishment; but crimes, such as an assault upon a constable, might vary from the most grievous assault, which would be insufficiently punished by six months with hard labour, down to a mere technical assault, which would be too heavily punished by imprisonment for one single day. He himself would not object to see six months' hard labour inflicted in serious cases; but he wanted to have a discretion left to the Courts, where a mere technical offence had been committed, not to inflict a stigma upon the name of an individual, even with the sentence of hard labour for one single hour. If the clause remained as it was at present, they gave no option to the magistrates but absolutely to acquit or discharge the individual, or sentence him to some term, be it small or great, of imprisonment with hard labour. Take the case that had been pointed out already, of a large number of individuals attending a public meeting which had been proclaimed by the Lord Lieutenant, but of which they had no information.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, it was provided in the Bill that two magistrates must attend at the meeting and notify the people that it was prohibited, and no criminal offence would be committed, except in the case of persons who refused to withdraw after a reasonable time.

MR. GRAY said, that justice would be sufficiently met in the case of a mere technical assault upon a constable by the infliction of a fine. He could understand the Government having a solid and reasonable objection to a fine without imprisonment; but what was proposed was to leave a discretion to the Court to inflict a fine or imprisonment, as the justice of the case might require.

MR. LABOUCHERE said, he really thought that hon. Gentlemen who called themselves Liberals should consider what was said in regard to this Amendment by the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan). The right hon. Gentleman had made a statement as to the Amendment, which he (Mr. Labouchere) did not hesitate to qualify as monstrous in coming from a Liberal. The right hon. Gentleman said he was perfectly ready to make concessions, and what were these concessions? The first was, that if a person happened to be present at a public meeting which was prohibited by the Lord Lieutenant, and if he did not read the proclamation—that was to say, if he was simply going by and found himself at one of these public meetings—he thought three months' hard labour would be sufficient.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the proclamation would be read, and he must refuse to leave within a reasonable time before the penalty would apply.

MR. LABOUCHERE said, if he refused to do what they had a perfect right to do in this country, and what he trusted everyone would have a perfect right to do, to attend a public meeting, whether the Executive objected to it or not, the punishment that was to be meted out to him—and this was a concession, remember—was three months' hard labour. And the right hon. Gentleman the Chief Secretary said that he would concede that if a person was found out after dark, and was arrested by a policeman on suspicion, the maximum punishment that would be inflicted upon him should be three months' hard labour. Why? Because he thought that was enough for a man who had not committed any crime. He (Mr. Labouchere) should say it would be enough. He looked upon this Bill, upon every clause of this Bill, not as though Lord Spencer and the present Irish Chief Secretary were to be in power during the three years, but as if the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) was to be in power, and he asked the Committee whether they would be fully prepared to give such absolute powers to the right hon. Gentleman the Member for North Lincolnshire? He (Mr. Labouchere) could assure the right hon. Gentleman that he had no personal feeling against him; but he would as soon go to Tripoli, or to any place where despotism reigned, as to Ireland with these clauses in the Bill and the right hon. Gentleman at the head of affairs there. Did the Committee think that a man found out after dark in Ireland, and who had committed no crime, ought to be punished with three months' hard labour, simply because a policeman took it into his head to think he was a suspicious person, and might commit some sort of crime? Let them punish those outrages and crimes if they liked. Nobody objected to that; but what they wanted was to distinguish between the punishment meted out to men who had committed crimes, and those who had not. He said that the mere suspicion of the possibility of committing a crime ought not in itself to be an offence which ought to be punished with a degrading punishment such as hard labour.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the hon. Member for Northampton (Mr. Labouchere) was not to assume that any person found out after dark, under any circumstances, without reasonable suspicion, was to be punished by three months' hard labour. He should look at the other circumstances of the question. Suppose a person was found out at night, with a gun in his hand, behind a wall, was it too much to give him three months' imprisonment? [Mr. ARTHUR O'CONNOR: You can do that under the present law.] Yes; but that was what the hon. Gentleman said. He would not have committed a crime; but he might be about to commit a crime. This was an example of what might take place. If this man was there for the purpose of "Moonlighting," waiting to commit murder or violence, was it to be said that under no conceivable circumstances of that kind it would be right to commit him to prison?

MR. MACFARLANE pointed out that this was very much a question of confidence in the Administration; and if the trial of those cases were committed to English or Scotch magistrates who were qualified by law, and who had not taken any part in the land war in Ireland, more confidence would be felt in the Administration, and there would be less objection taken to the mere wording of the clause; but, judging of the future from the past, they had reason to expect that the law would not be properly administered in Ireland.

MR. JOSEPH COWEN said, that every man in that House and country must recognize the unhappy state of Ireland, and no one could object to the police arresting a man in the interest of public safety under the suspicious circumstances the hon. and learned Gentleman the Attorney General had described; but what they complained of was that a man who was arrested on mere suspicion, and not guilty of any offence, should be punished by three months' hard labour. To arrest a man because he went out of his way, and to punish a man with three months' hard labour on mere suspicion, was contrary to all principles of justice.

MR. M'COAN said, he did not wish to tie the Committee down to the hard-and-fast words of that Amendment, and the suggestion made by the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan) probably might be carried a little further and meet all the circumstances of the case, if, instead of limiting the reduction of the six months' scale of punishment in the case of the 7th and 8th clauses, he would select cases from the 4th and 5th clauses—he (Mr. M'Coan) would not say the 6th clause, because the 6th clause dealt with aggravated offences, which were morally, as well as socially, criminal. If he would do that, and make a selection of offences in which he would apply the small scale of punishment, he would not press the matter to a division, and he thought the whole necessities of the case would be met if he did that. He admitted that where a man was found out under a hedge or a wall with a gun to shoot somebody, he would give him more than six months' imprisonment; but a person might be found out in such a case that it would be sufficiently met by a fine or a month's imprisonment. He did not want to minimize punishment where it was deserved; he simply wanted that minor offences should not be met with aggravated and unnecessary punishment.

MR. P. MARTIN said, he thought it would be fair and just that the right of inflicting a pecuniary punishment should be given to the magistrates. The hon. and learned Attorney General had put to the Committee the case of a most aggravated offence dealt with under this clause; but, at the same time, they must recollect that there was also a much smaller offence in contemplation under it; and, in dealing with that small offence, he (Mr. P. Martin) thought this pecuniary penalty ought to be reserved for the magistrates. It would appear to him a very dangerous thing to say to the magistrates in Ireland with regard to such offences as these—"In point of fact you must commit these men to a common gaol with hard labour, instead of inflicting a pecuniary fine for a trifling offence." With all respect to the Committee, he did submit that it would impede the Government in discharging their duty. In 1879, on the recommendation of a Select Committee, who were unanimously of opinion that there should be that elasticity of discretion, an Act was passed for England, to amend the law relating to the jurisdiction of magistrates, and empowering the magistrates to impose a fine for offences punishable on summary conviction, if the Court thought that the justice of the case would be better met by a fine than by imprisonment. It was agreed that that Act should be extended to Ireland, and the only reason that it was not extended at that time was that it was conceived that if they entered upon the Irish Question at that time, it might so delay the Bill that that very useful Bill for England would be thrown out. He trusted that the Committee would follow the example set on that occasion.

MR. BOURKE thought the clause, as it was at present framed, gave the elasticity the hon. and learned Gentleman referred to. The greatest amount of elasticity possible under the Criminal Law could be given under the clause.

MR. MITCHELL HENRY said, he would not vote for this Amendment, but he certainly would propose an Amendment giving the option to magistrates to impose a fine not exceeding £50, for he thought it was an unfair thing that they should compel the magistrates either to acquit or to send a man to prison. If there was anything in this country which ought to be regarded with more suspicion than another, it was the imprisonment of our fellow-citizens. In foreign countries they had imprisonment for very slight offences, and so commonly was it exercised in France that nobody thought anything about it; but in this country they looked upon imprisonment in a different light, and he could not understand how it could be said that there was elasticity in a clause which compelled the magistrates either to acquit or imprison a man. He hoped the Committee would not legislate on the subject in haste and without proper discrimination. He would ask the Government to accept an Amendment to this effect—At the end of the clause to add the words, "or to such fine, not exceeding £50, as the Court may order." There was many a case in which a man might be guilty of an offence of a slight kind, such as "Boycotting," which would require a stern admonition from the law, but which certainly would not deserve imprisonment; and, in such a case as that, they ought to give the magistrates the power of inflicting such a penalty as would mark the offence of a man's conduct, and yet not place a stigma upon him for life. Now, it was said that a certain association would pay these fines. That association could not pay very many fines in this way. Besides, they were going to have a special magistracy, not the ordinary Justices, who might be deterred by fear—they were going to have special magistrates, and yet, for the first time in their legislation, they were giving these magistrates power either absolutely to discharge a man or to imprison him. He trusted the House would not sanction that innovation on the principles of our Constitutional rights, which gave us a horror of imprisoning any man.

The CHAIRMAN pointed out that it would be impossible for the hon. Member for Galway (Mr. Mitchell Henry) to move his Amendment in the event of the Amendment before the Committee being accepted.

Mr. COURTNEY in the Chair. [1.45 P.M.

MR. M'COAN said, he thought the object of his Amendment would be substantially met by the substitution of the Amendment of the hon. Member for Galway (Mr. Mitchell Henry); and, therefore, he respectfully asked to be permitted to withdraw his Amendment.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): Is it your wish that the Amendment should be withdrawn? ["No, no!"]

Question, "That the words 'be liable' stand part of the Clause," put, and *agreed to.*

MR. SYNAN: May I take the liberty, Sir, of asking whether I am at liberty to move an Amendment standing in the name of the hon. Member for the City of Cork (Mr. Parnell)?

THE DEPUTY CHAIRMAN (Mr. COURTNEY): Is the Amendment on the Paper?

MR. SYNAN: It is.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): No; the Amendment standing in the name of the hon. Member for the City of Cork cannot be put, because the discussion which has been raised and the Motion which has just been put has been on the question whether an alternative money penalty should be allowed, and the Committee has decided that there should be imprisonment in all cases. The question involved in this Amendment standing in the name of the hon. Member for the City of Cork is not merely the option that a money penalty should be allowed, but it insists upon a money penalty, and only imposes imprisonment in the event of the penalty not being paid.

MR. MOLLOY: Is the second portion of the Amendment of the hon. Member for the City of Cork (Mr. Parnell) out of Order too?

THE DEPUTY CHAIRMAN (Mr. COURTNEY): Yes; that is out of Order too.

MR. JOSEPH COWEN said, he begged to move an Amendment which stood in the name of the hon. Member for Ipswich (Mr. Jesse Collings)—namely, "In page 9, line 11, leave out 'with or'"—the object being to omit hard labour.

Amendment proposed, in page 9, line 11, to leave out the words "with or."—(*Mr. Joseph Cowen.*)

Question put, "That the words 'with or' stand part of the Clause."

The Committee *divided:*—Ayes 138; Noes 18: Majority 120.—(Div. List, No. 217.) [2 P.M.

MR. ARTHUR O'CONNOR moved, as an Amendment, in page 9, line 12, that the word "six" be omitted after "exceeding," and the word "two" be substituted. That would make an alteration which would effect an approach to the law in this country. If a man was guilty of several of the acts made offences under this Bill in this country, he could only be sentenced to two months' imprisonment, and no ground had been shown for so extreme a sentence as six months as the only sentence that could be given.

Amendment proposed, in page 9, line 12, to leave out the word "six," in order to insert the word "two."—(*Mr. Arthur O'Connor.*)

Question proposed, "That the word 'six' stand part of the Clause."

MR. BYRNE supported the Amendment, and pointed out that, as the clause stated, the magistrates would have no option as to the sentence, and would have to inflict six months' imprisonment on a man, even if he had been unwittingly guilty of an offence.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the Committee had discussed this matter on the previous Amendment to reduce the penalty to three months. That had been negatived. The argument was that three months was too small a maximum, and now the hon. Member (Mr. Arthur O'Connor) proposed two months.

MR. GRAY said, he should be content to leave the clause as it stood, provided that the magistrates had some discretion as to the infliction of imprisonment or a fine; but, as the Committee had negatived a discretion being given, the only course open was to endeavour to restrict the maximum penalty which might be inflicted. That was why he preferred two months instead of three, although he would have agreed to the higher term, if discretion had been given to the magistrates.

Question put.

The Committee *divided*:—Ayes 136; Noes 15: Majority 121.—(Div. List, No. 218.) [2.15 A.M.

Amendment proposed,

In page 9, line 12, after "months," insert "or such less term as is in that behalf fixed by any section of this Act."—(*Mr. Attorney General.*)

Question proposed, "That those words be there inserted."

MR. ARTHUR O'CONNOR asked for some explanation of the Amendment?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, that if these words were not inserted, the clause would stand as giving six months' imprisonment for all offences under this section; but his right hon. and learned Friend the Secretary of State for the Home Department wished to mitigate the penalties in some cases, and, therefore, these words were inserted.

Question put, and *agreed to*; words *inserted* accordingly.

MR. MITCHELL HENRY said, he wished, before the clause was put to the House, to take the ruling of the Chair on the words which he proposed to add at the end of this clause—namely, "or such fine not exceeding fifty pounds as the Court may order." The hon. Member for the County of Wicklow (Mr. M'Coan) had moved an Amendment which was discussed, and which he then desired to withdraw. The withdrawal, however, had been objected to, and the Amendment was negatived; but this was so important a subject that he (Mr. Mitchell Henry) submitted, in the commonest justice, a discussion and a division on the proposal ought to take place.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): As the hon. Member for Galway (Mr. Mitchell Henry) is aware, when an Amendment is moved it cannot be withdrawn, except with the assent of the Committee. Opposition was taken to the withdrawal, and the Amendment was negatived. That Amendment suggested the option of a fine, and that having been negatived, it is now incompetent to the hon. Member to move his Amendment.

MR. MITCHELL HENRY said, he should move it on Report.

MR. ARTHUR O'CONNOR asked whether it was not the fact that the Motion of the hon. Member for the County of Wicklow (Mr. M'Coan) was not merely a Motion to substitute a money penalty, or to establish an option, but to reduce the term of imprisonment from six to three months? The rest of the object of the Amendment was to leave to the Judges a discretion to inflict a money penalty of £20. The whole of the Amendment was taken together and negatived in its entirety. Therefore it would be impossible for any hon. Member to move what was tantamount to the same Amendment; but he wished to know whether a portion of that Amendment might not be, by itself, proposed as a fresh Amendment?

THE DEPUTY CHAIRMAN (Mr. COURTNEY): As the hon. Member (Mr. Arthur O'Connor) is aware, if the Motion of the hon. Member for the County of Wicklow (Mr. M'Coan) had been withdrawn, it would have been competent to entertain a question of varying the money penalty. It was not negatived in its entirety. The second question of mitigation of imprisonment was put by the hon. Member for Carlow (Mr. Gray).

Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. MOORE asked whether the House was to receive any information as to the officials who were to administer this Act? The punishment provided was very severe, and it would fall on the sons of farmers and labouring men, most of whom had been beguiled. This power of summary imprisonment for six months was a very serious matter.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): The hon. Member for Clonmel (Mr. Moore) cannot discuss that question on this clause; but on the clause which follows he can.

MR. MOORE said, he did not think the subject arose on the following clause. It was understood that there were to be special officers appointed to work this clause; and in the following clause a provision was made for the presence of two magistrates; but he wished to know by whom this clause was to be administered, and whether the same officers and police who were engaged in tracking criminals would administer the Act, or the Resident Magistrates? There should be some guarantee that the clause would not be administered by Resident Magistrates.

Mr. TREVELYAN said, he wished to remind the hon. Member for Clonmel (Mr. Moore) how emphatically the doctrine had been laid down that the arrangements with regard to magistrates were purely executive and administrative, and the Government could not consent in any way to place them in the Bill. The nature of the arrangements had been shadowed out on a previous occasion; but the arrangements must be carried out by the Lord Lieutenant's orders.

Mr. M'COAN objected to the arrangements being left to the will of the Lord Lieutenant.

The DEPUTY CHAIRMAN (Mr. Courtney): I must point out that this question arises on the next clause; it is premature to discuss it now.

Mr. O'SHAUGHNESSY asked, whether it was not competent to discuss the nature of the tribunal? The Resident Magistrates were well known to be very much under the guidance of the special magistrates.

Mr. SYNAN could not conceive why substantial questions on this clause could not be discussed. He thought the punishments under Clauses 7 and 8 had not been sufficiently mitigated, and that there ought to be some distinction made in this clause between the punishments under Clauses 4, 5, and 6. Although unwilling to prolong the discussion, he thought it was absolutely necessary to take a division on the clause, and to amend the clause on Report. The whole matter was left too much to discretion, when it was known who these magistrates would be, and when the promise made by the Chief Secretary for Ireland had not been placed in the Bill.

Mr. MITCHELL HENRY felt that there ought not to be any doubt upon this subject, or anything that would look like a breach of faith. The Government distinctly promised that in the administration of the Act two magistrates should be required, and that one of them should be a trained lawyer. Did the Government still adhere to that promise?

Mr. TREVELYAN said, the promise was only made so far as it could possibly be carried out. Resident Magistrates who were trained lawyers could not be made at command; but, so far as the condition and list of magistrates allowed, the magistrates would be associated with lawyers.

Mr. LABOUCHERE said, he could not regard that as carrying out the promise given by the Chief Secretary for Ireland. [Mr. Trevelyan: The promise is being considered.] The Committee could not know what had gone on between Dublin and London; they were only going on what had been stated in the House; and he (Mr. Labouchere) thought there had been a distinct pledge given that one of the magistrates should be a trained lawyer. As to the argument of the Chief Secretary for Ireland, it was perfectly possible to have one lawyer to sit with the Resident Magistrates. He thought there ought to be no misunderstanding as to whether the Government adhered to the pledge given, for upon the faith of it many of the clauses of the Bill had been granted. He should not like to say they had backed out of a promise; but they had certainly given an undertaking from which they could not honourably recede.

Mr. O'KELLY said, a clear and distinct promise had been given that the new tribunals should consist of two magistrates, one of whom should be a trained lawyer; and the expectation had been that some of those men would be taken from the general public, and not from those who were imbued with the ideas of the class to which there was so much objection. The clause would, practically, be no protection at all, if the magistrates were to be people of that class. The Bill would confer enormous power on the magistrates; and it was of the utmost importance, even from the Government point of view, that the people should have some slight confidence, at least, in the judicial character of the magistrates. If the Government did not carry out their promise the feeling in Ireland would be that accused persons would be sent before what would practically be a military tribunal, and dealt with in a summary manner. In that way the law would be made an instrument of vengeance, and not an instrument of justice.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, the promise was given by the Prime Minister, and as the right hon. Gentleman was not now present, the Committee could not arrive at a distinct understanding as to the promise; he would further point out that this matter did not arise upon this clause, but upon a clause which the Government proposed to substitute.

MR. MITCHELL HENRY submitted that the question could not possibly arise on any other clause. The Prime Minister had given a distinct and positive promise; and he (Mr. Mitchell Henry) was convinced that the right hon. Gentleman would not recede from it. Why, then, did the Chief Secretary for Ireland say it would be adhered to only as far as possible? It could be adhered to perfectly well. The Government knew very well that there were a number of effete and worthless magistrates in Ireland who would be summoned to Dublin and offered inducement to retire. They, of course, would want to make their own bargain.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I must point out to the hon. Member for Galway (Mr. Mitchell Henry) that it is premature to discuss this question upon this clause.

MR. O'SULLIVAN protested against this clause as giving too much power.

MR. MITCHELL HENRY said, that with reference to the ruling of the Chair, he was not discussing what the tribunal ought to be; he stood on the pledge given by the Government.

MR. MOLLOY said, the hon. and learned Gentleman the Solicitor General for Ireland asked the Committee not to discuss this promise in the absence of the Prime Minister, while the Chief Secretary for Ireland denied that the promise was given as stated.

MR. GRAY said, that the clause would be put into most extensive operation, and would, in many cases, inflict grave hardship, and cause a feeling of aggravation and soreness. A man might be sentenced for what, at that moment, was no crime, and punished by a degrading sentence, involving association with the vilest characters. Why should the Government refuse to mitigate the punishment for offences which were at present legal? Clause 4 was so wide that any individual taking part in any public affairs might find himself caught in the meshes of this clause, and would be liable to six months' imprisonment with hard labour. If he (Mr. Gray) attended a public meeting, he could be cast into prison; and even the modifications which had been made as to public meetings offered no adequate protection to individuals; and he was certain that many innocent individuals would be convicted for attending meetings which were made illegal by a proclamation in *The Dublin Gazette*, but of which they would know nothing. The police were frequently over-zealous, stimulated by inflammatory speeches in that House, on the necessity of taking strong measures, and he feared that under such incentives they would be more active, and would arrest many persons who were innocent; and the special magistrates would consider it obligatory upon them to do something to show that they were properly discharging their duties. The determination of the Government to attach the stigma of crime to men who were perfectly innocent showed a feeling which the people of Ireland would interpret as vindictive towards an entire class, and that would be greatly to be regretted.

MR. M'COAN said, his objection to the clause was, that it might fall into the hands of other administrators than the present Lord Lieutenant and the Chief Secretary for Ireland. He regarded with something approaching to horror the possibility of the administration of this Act by a Conservative Government.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I must invite the hon. Member for Wicklow (Mr. M'Coan) to address himself to the Question before the Committee. It is — "That the Clause, as amended, stand part of the Bill."

MR. M'COAN thought his objection was very much to the point. This would be a monstrous power in the hands of people in whom the Irish people had no confidence. He also objected to it on account of the tribunal by which it might have to be carried out.

MR. LABOUCHERE thought that, when the Executive took power to forbid any political meeting, and when any person declined to withdraw at the order of the Executive, such person, far from deserving three months' imprisonment with hard labour, might be doing an exceedingly laudable thing. But the main objection was—and in consequence of it, he should vote against the clause—that the option of a fine was not given to the magistrates. No doubt, in some cases, a fine might not meet the circumstances; but the point here was, that if the magistrates considered that the person had violated the letter of the law, no matter what the extenuating circumstances might be, they must punish by imprisonment.

Mr. FIRTH said, that he agreed with the second objection stated by the hon. Member for Northampton (Mr. Labouchere).

Mr. BYRNE said, they well knew that for the future, in Ireland, any word spoken, or the slightest movement of the head or eye, would be an act punishable with imprisonment. He hoped that the Government would, at all events, avoid the mistakes made in the appointments under the Land Act, and that they would appoint thoroughly efficient and legally-trained gentlemen, of some practice and standing at the Bar, to adjudicate on these offences. It was to be hoped they would not send out a wool-stapler from Bradford to administer the Act.

Mr. ARTHUR O'CONNOR said, he would not comment on the absence of certain hon. Members, because he was anxious to remain within the four corners of the Rules of the House, not so much on his own account as on account of the Chairman, the extreme delicacy of whose position he fully appreciated. Those who had opposed the Bill had opposed it tenaciously, obstinately, and he might even say obstructively; and it had been thought fit to take action against them, that action having been stimulated by the Government of which the Chairman was a Member. He merely said this, not to infringe any of the Rules, but to show that he was fully alive to the situation. The clause before the Committee proposed the most severe treatment for offences of a trivial kind. If, for instance, he were to meet a man, and were to say "Fee-fi-fo-fum" to him, and a policeman heard it, and chose to think that it suggested something of an intimidating character, he (Mr. O'Connor) might be liable under this clause to imprisonment with hard labour for six months. They knew that the powers given to magistrates in Ireland were not used with a very sparing hand, and the imprisonment of ladies and others had given a very good foretaste of what might be expected under this Bill. He asked the Committee to attempt to realize what the clause really meant, and what was the real meaning and significance of the expression "six months' imprisonment with hard labour." Hard labour meant the treadmill, shot drill, the crank, and other labour of that kind, and it could be carried on for not more than 10 or less than six hours per day, exclusive of the time occupied at meals. Then, what was the dietary that these men would have to endure? At breakfast they were to be allowed six ounces of bread and a pint of gruel—two ounces of coarse oatmeal with salt. At dinner they were to be allowed——

The DEPUTY CHAIRMAN (Mr. Courtney): Order, order! I must invite the hon. Member to confine himself more strictly to the terms of the clause. It is scarcely relevant to the whole scope of the clause to give the Committee a complete account of all the details which the imprisonment inflicted under it involves.

Mr. ARTHUR O'CONNOR said, he was anxious not to transgress the Rules of Order, but he thought it was important to show the Committee what hard labour really meant. [*Cries of* "Order!"] He would conclude by warmly protesting against the manner in which his remarks had been interrupted by hon. Gentlemen sitting on the other side.

Question put.

The Committee *divided:*—Ayes 186; Noes 20: Majority 166.—(Div. List, No. 219.) [3.20 p.m.

Clause 19 (Court of Summary Jurisdiction).

The ATTORNEY GENERAL (Sir Henry James) moved that the clause be struck out of the Bill, the intention being to bring up in substitution another clause which stood on the Paper to give a power of appeal.

Moved, "That the Clause be struck out of the Bill."—(*Mr. Attorney General.*)

Question proposed, "That the Clause stand part of the Bill."

MR. JOSEPH COWEN: Will that be taken now, or brought up as a new clause?

THE ATTORNEY GENERAL (Sir HENRY JAMES): As a new clause; it cannot be taken now.

MR. GRAY hoped the hon. and learned Gentleman would take care that the clause was not brought on until hon. Members who were not in the House had the opportunity of re-drafting the Amendments which were at present on the Paper, and making them applicable to the new clause. A number of hon. Members could not enter the House to hand their Amendments to the Clerk at the Table, and he hoped the new clause would not be taken till Monday.

MR. GLADSTONE: An opportunity will be given for placing any Amendments upon the Paper.

MR. MITCHELL HENRY asked the right hon. Gentleman the Prime Minister whether the special tribunals of two magistrates, who were to carry out the summary powers of the Bill, would have upon them one magistrate who was a trained lawyer?

MR. GLADSTONE: It is extremely unusual for statements in reference to Amendments to be made on the Motion for striking out a clause. I hope we shall be allowed at once to drop this clause.

MR. MITCHELL HENRY said, it was only a reasonable thing to ask, and there ought to be no doubt about it. A plain assurance on the point would prevent the putting down of unnecessary Amendments.

SIR R. ASSHETON CROSS asked if the new clause would be taken at the present Sitting?

MR. GLADSTONE, in reply, said, it would be taken on Monday.

MR. ARTHUR O'CONNOR wanted to know what were the intentions of the Government as to the Sitting. The right hon. Gentleman the Prime Minister said some hours ago that, after a reasonable amount of progress had been made, similar to the work done at an ordinary Sitting, he would make a further statement. Since then two clauses had been passed. It was impossible that the Committee could continue its labours indefinitely.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): Order, order! These remarks are not relevant to the Question before the Committee, which is that Clause 19 stand part of the Bill.

MR. ARTHUR O'CONNOR said, he did not wish to move that Progress be reported or to transgress the Rules of the House. He had merely asked for information.

Question put, and *negatived;* Clause *struck out* accordingly.

MR. SHEIL said, he should move that Progress be reported, because no reply had been given to the reasonable inquiry of the hon. Member for Queen's County (Mr. Arthur O'Connor).

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sheil.*)

MR. JOSEPH COWEN said, he did not think there was any obstructive purpose in that Motion, for the Government had themselves promised to make a statement when a reasonable amount of progress had been made.

SIR WILLIAM HARCOURT: We have considered this matter with a view to what we think reasonable discussion, and the future despatch of this Bill, and we have come to the conclusion that a proper and fair arrangement would be that the Committee, at its present Sitting, should go through all the clauses of the present Bill, and then stop. There would then be left for consideration the postponed clauses, the substituted clauses, and the proposed new clauses.

MR. GRAY said, he was sorry to hear that declaration. Early in the morning when the Prime Minister made a statement, he spoke in very different terms to that which the Secretary of State for the Home Department had just used. The consequence was that they had been led to anticipate very different treatment, and he thought a very great hardship was being inflicted on a small handful of Irish Members. The Prime Minister had given them some hope, when reasonable progress was made with the Bill—such progress as might be expected from an ordinary day's work in Committee—of respite from a toil which was becoming an absolute physical torture — a species of hard labour inflicted upon Members of the House, even without the intervention of a tribunal. He had been continuously in the House for 18 hours, and it was unfair to ask him (Mr. Gray) and his Colleagues to continue to discuss all the remaining clauses of the Bill. It was not treating fairly a small minority, even an Irish minority.

Mr. GLADSTONE: The hon. Gentleman the Member for Carlow (Mr. Gray) has not misquoted me, but we differ as to the construction to be placed on my language. What happened, to the best of my recollection, wasth is—about four or five hours ago, the right hon. and learned Member for the University of Dublin (Mr. Gibson) stated from the opposite Bench that the Committee ought to proceed regularly with its work, and should not desist until there had been reasonable and full progress, such as might be made at an ordinary day's Sitting. With that declaration my Colleagues and I concurred, and we adopted that language. Now, Sir, upon considering the matter, we are really of opinion that the clauses now remaining in the Bill are clauses that might quite well be disposed of in a day's Sitting. The fact is, I am bound to say that I think we have got a little demoralized in regard to our estimate of what a day's work should be after the great length of time that has been spent upon 16 clauses of the Bill. On the other hand, it is quite true that many of those 16 clauses contain matter of very great difficulty, and of very great delicacy; and some of them may almost be said to be the foundation in themselves of a not unimportant Bill. We have not been very impatient in resenting the apparently slow progress that has been made; but we have now arrived at a point where questions of principle are wholly disposed of, and where the clauses which remain are subsidiary and consequential, and it is our opinion—an opinion on which we propose to act—that we should go on with those remaining clauses; and we do not think we are asking anything undue in asking the Committee to dispose of them. We have also considered the further matter to which I referred this morning, and we conceive it to be our duty, in view of the more expeditious progress of Public Business, to propose to revive on Monday the measures adopted last year, and commonly known as the Resolutions upon Urgency.

Mr. SHEIL: Does the right hon. Gentleman propose to bring in Urgency upon the Arrears of Rent (Ireland) Bill as well as upon this measure?

Mr. GLADSTONE: The nature of the proceedings of the House as to Urgency was this—first, a general Resolution was passed, and under that general Resolution it was open to the Ministry to propose to apply the Rule of Urgency to any particular measure; and that proposal, if sanctioned by a three-fourths majority, took effect. Last year the House did apply it to certain Irish Bills; but when we proposed to apply it to Supply we had an inadequate majority, and it was rejected. As to the Arrears of Rent (Ireland) Bill, it would be altogether premature to entertain any question in regard to it. We have already said that it is on a level with this Bill in regard to its importance; but beyond that I have no proof before me, and I have no right to conclude that a similar opposition will be offered to it. If it is, then will be the time to consider whether it is necessary to make any proposal respecting it.

Mr. SHEIL said, he must conclude, from the speech of the right hon. Gentleman, that the Government had no intention of taking Urgency for the Arrears of Rent (Ireland) Bill, a resolution which in no way surprised him. He thought it his duty to divide the Committee upon his Motion because of the absence of so many Members of the Irish Party.

Mr. LABOUCHERE suggested that Clause 30, which defined the duration of the Bill, should not be taken that day, but that it should be postponed until there was a full complement of Irish Members in the House.

Mr. GLADSTONE: I must say that when I spoke last, it did occur to me that the question of duration was a question upon which a short debate might take place. Most of the clauses appeared to me as if they were clauses that might pass almost without debate. On the question of duration, I thought it very possible that a debate of an hour or two might take place, and that was quite included in the view that I took of a possible day's work. It would be a recession from what I stated a few minutes back if I were to postpone that clause. That clause will be open, like every other, to reconsideration on Report; but I must adhere to my statement.

MR. GRAY asked his hon. Friend (Mr. Sheil) to withdraw the Motion to report Progress, as he did not wish to do anything of which the Party would be ashamed. After Clause 20 was agreed to, it might then be renewed as a protest against the physical force used to pass the Bill through the House.

MR. ARTHUR O'CONNOR said, the right hon. Gentleman the Prime Minister had misled the Irish Members this morning. Under the circumstances, the Irish Representatives would fight the Bill as long as they could.

MR. MACFARLANE (who rose amid cries of "Oh!") said, hon. Members, as usual, would not wait to hear what was about to be said before they shouted down any hon. Member they did not wish to hear. There were a number of hon. Members of the House who used the House as a boy used an empty cask. [*Cries of* "Order!"] What he had to say was, that the Government had come to the conclusion—he would not say that he agreed with them—that a certain number of Irish Members had misbehaved themselves, and they had expelled those Members. He wanted to point out the peculiar injustice it would be to the Irish Members who had not misbehaved themselves—those who behaved to the satisfaction of the Government—to keep them in the House an indefinite time, whereas those Irish Members who had not behaved to the satisfaction of the Government had gone comfortably home. The Prime Minister had led them to believe, perhaps unintentionally, that the passing of two or three clauses would be considered satisfactory progress, and he (Mr. Macfarlane) hoped that course would be taken.

MR. SHEIL said, he was under the impression that Clause 19 had been withdrawn; if that was so, he asked leave to withdraw his Motion; but if it was otherwise he would not withdraw it.

Question put, and *negatived.*

Clause 20 (Proclamation of districts).

MR. GRAY moved an Amendment standing on the Paper in the name of the hon. Member for Wexford (Mr. Healy)—namely, to amend the clause by inserting in line 35, after "him," "from information duly made on oath and in writing."

Amendment proposed,

In page 9, line 35, after the word "him," to insert the words "from information duly made on oath and in writing."—(*Mr. Gray.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, Her Majesty's Government found it impossible to insert this Amendment.

MR. O'SULLIVAN said, he thought the Government should not have objected to the Amendment that had been proposed. The Irish Members did not object to the Government getting all the information they could; but they thought that such information should be made on oath and in writing.

MR. BYRNE drew attention to the fact that the Amendment would make the law in Ireland the same on that point as the law in England.

Question put.

The Committee *divided:* — Ayes 17; Noes 213: Majority 196.—(Div. List, No. 220.) [4.15 P.M.

MR. ARTHUR O'CONNOR (for Mr. SEXTON) moved to amend the clause, by inserting in page 9, line 35, after the word "time"—

"At the request of the majority of the justices of the peace for any specified part of Ireland, expressed at a meeting of such justices convened in the prescribed manner."

MR. BRODRICK rose to Order. He wished to know whether the hon. Member for Queen's County (Mr. Arthur O'Connor) was not too late in moving the Amendment, as the word "him," which stood in the clause after the word "time," had been already agreed to?

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, he regretted to say that it was so. By an unfortunate transposition of the Amendments on the Notice Paper, the Amendment was too late.

MR. ARTHUR O'CONNOR said, in that case he would move the Amendment after the word "him." Although such a course involved the employment of not very elegant phraseology, it was open to no other objection, and he thought they should not be made to suffer for any error that had occurred, considering that they had no control over the manner in which the Amendments were placed on the Paper. He did not pretend to be able to do justice to the Amendment under the circumstances, and he regretted that his hon. Friend the Member for Sligo (Mr. Sexton), in whose name it stood, and who could have done justice to it, was not present. He begged to move the Amendment as amended, at the same time protesting against the manner in which the Government acted in dealing with the Amendment in the absence of his hon. Friend, in whose name it stood.

Amendment proposed,

In page 9, line 35, after "him," to insert the words "at the request of the majority of the justices of the peace for any specified part of Ireland, expressed at a meeting of such justices convened in the prescribed manner."—(*Mr. Arthur O'Connor.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, if the hon. Member for Sligo (Mr. Sexton) had been in his place, the Government could not have seen their way to accept the Amendment. He (the Attorney General) thought if the Amendment was left as proposed it would not be doing justice either to the Lord Lieutenant or to the Justices of the Peace; he, therefore, could not accept the Amendment.

MR. ARTHUR O'CONNOR said, it was perfectly plain that the Lord Lieutenant could not be able, of his own knowledge, to judge of every district in Ireland. It would be necessary for him to act upon the information supplied to him by responsible persons, and the Amendment provided that the responsible persons should be Justices of the Peace in the different districts which it was proposed to place under the Act. Possibly, if the hon. Member for Sligo (Mr. Sexton) had been present, he would be convinced by the arguments of the Government, and would be disposed to withdraw the Amendment; in his absence his Colleagues were not able to judge what his action would have been, and he would be compelled to take the sense of the Committee.

SIR JOSEPH M'KENNA hoped that his hon. Friend (Mr. Arthur O'Connor) would not take the sense of the Committee by calling for a division. He did not think they should call upon a body of magistrates to come together to do something which the Lord Lieutenant could do very well from information received direct. He thought if the hon. Member for Sligo (Mr. Sexton) had been in his place, on a little reflection, he would not have moved the Amendment, and he (Sir Joseph M'Kenna) hoped it would now be withdrawn.

MR. GRAY said, he would join with the hon. Member who had just sat down (Sir Joseph M'Kenna) in his appeal to the hon. Member who had moved the Amendment (Mr. Arthur O'Connor) to allow it to be withdrawn, and not to go to a division. The Amendment was one upon which there existed some slight difference of opinion amongst the Irish Party themselves, and for that reason he urged its withdrawal. At the same time, he (Mr. Gray) would say that he had no kind of confidence in the magistrates of Ireland, whether they were acting in private or in public conclave; whether they were acting as private individuals or publicly as a body. As his hon. Friend the Member for Sligo (Mr. Sexton) was not present to move his Amendment, and as he would have an opportunity of moving it on the Report, he merely made the suggestion to the hon. Member for the Queen's County not to divide upon it.

MR. ARTHUR O'CONNOR said, he thought if the hon. Member for Sligo (Mr. Sexton) had been present, he would have carried with him, not only the body of the Irish Members, as he generally did, but hon. Members from other parts of the House, whose judgment he would have swayed. As the hon. Member who had just spoken (Mr. Gray) had said there was a division of opinion about the Amendment, he asked leave to withdraw it. At the same time, he thought anything more unfair, more ungenerous, or more unexpected than the course taken by the Government towards the remnant of the Irish Party could not be conceived. He thought that what was passing through the minds of hundreds of Irishmen was that they would like to have one cavalry charge to settle the whole matter. He begged to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. MOLLOY (for Mr. BIGGAR) moved, as an Amendment, in page 10, line 6, after "thereof," to insert, "and shall be forthwith published in two newspapers circulating in such district."

Question proposed, "That those words be there added."

The ATTORNEY GENERAL (Sir Henry James) said, he was of opinion that the publication in two Dublin newspapers would be sufficient. He might also say that the Amendment would, in some cases, defeat its own object, because some districts were so small that two newspapers were not published in them. The Peace Preservation Act of 1881 contained a clause to the effect that the manner of proclamation should be left to the Executive, and he thought that much safer than to lay down a certain mode of carrying into effect the law.

Mr. O'SULLIVAN pointed out that they did not intend that the two papers in which it was proposed to insert the proclamation should be published in the district, but only that they should be circulated in the district. There were plenty of papers circulated in districts in which they were not published. They did not want to select certain papers, but would leave that to the Government. He thought the Amendment was so fair that it ought to be accepted by the Government.

Mr. SHEIL thought there was nothing to prevent the Government making the proclamation in any manner they liked, and all the Irish Members asked was that the Government would make the proclamation in any two newspapers published in the district, or even in Ireland.

Mr. MOLLOY would ask the hon. and learned Gentleman the Attorney General to state how these proclamations were to be made known. The hon. and learned Gentleman had said they would be made known in *The Gazette;* but *The Gazette* was never seen in the country parts of Ireland. They suggested that the proclamation should be in two newspapers published in the district, and they did not mind what newspapers they were. They thought there ought to be some means of making these publications known to the people in the counties who would be affected by them. If the Government would say that the proclamation would be made known in two newspapers having a circulation in the Province in Ireland in which the proclamation took place, the Irish Members would be satisfied. If they were only to be published in the official *Gazette*, they might as well be published in the London *Times.*

Mr. M'COAN thought if they were published on the chapel doors of the district to which they applied that would be sufficient.

The ATTORNEY GENERAL (Sir Henry James) said, that was the course that was already taken in many cases, and that was the course that would practically be adopted.

Sir JOSEPH M'KENNA said, he could not see why the Government hesitated to accept that Amendment. If the hon. and learned Gentleman the Attorney General would say any two papers in the district, or in Ireland, that would be sufficient for their purpose. What they wished to have was, that the form of the proclamation would be accessible to the neighbourhood, and to anybody in it. In *The Dublin Gazette* it would not be accessible. He had no doubt whatever that the Lord Lieutenant would have the proclamation posted on the chapel walls; they were not speaking of that, but they were speaking of what was actually provided for in the Bill. He thought his hon. Friends would be quite ready to accept the publication in two newspapers published in Ireland.

Mr. M'COAN said, he was sorry to be at issue with his hon. Friend behind him (Sir Joseph M'Kenna), who usually spoke with such clearness and force. He did not think that the publication in any two newspapers in Ireland would meet their purpose, as newspapers were published in one part of the country that were not seen in other parts. He thought the publication should be made in the same district to which the proclamation applied.

Mr. BLAKE said, he would venture to say that the hon. and learned Gentleman the Attorney General would make a great mistake if he did not accede to the Amendment of his hon. Friend (Mr. Molloy). He (Mr. Blake) was in a public office for 10 years in Ireland, and he ventured to say that in all mattert of the kind a notice inserted in the Dublin newspapers or in *The Dublin Gazette* would be of no avail in the districts to which the proclamation applied. He knew that it was also the practice of the Board of Works; but there were numerous counties in Ireland where *The*

Dublin Gazette was never seen. As for the notices posted up at the police stations, he knew that there were many people in Ireland, who ought to be informed of these matters, who never had an opportunity of seeing the notices posted at police stations; whereas there were few people in a district who did not see the notices when they were inserted in the local papers. He was sure it would be to the interest of the Government to have matters of that kind as widely known as possible.

Sir JOSEPH M'KENNA said, he would like to say a few words to relieve Her Majesty's Government from the imputation cast upon them by his hon. Friend the Member for Wicklow (Mr. M'Coan). The hon. Member had said if the proclamation was made in papers published in one district, it would be of no use in another district; but there were papers that circulated all over Ireland, and he thought these should be chosen.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, all proclamations were inserted in *The Dublin Gazette*, and, in addition, great care was taken that they should be likely to meet the end in view. There was not the slightest reason to apprehend any difficulty in the case of this Act, as the promulgation of the proclamations was precisely the same under this Act as it was under all other Acts. There was naturally a desire on the part of the Government to let the people know what was illegal.

Mr. GRAY asked, if he was to understand that the hon. and learned Gentleman the Attorney General had said the procedure under this Act was the same as that laid down in the Act of 1870?

The ATTORNEY GENERAL (Sir Henry James): I said 1881, the Act of last year.

Mr. GRAY said, the Irish Law Officers had told them that the Act of 1870 was the model for this Act; perhaps they would say what were the arrangements under the Act of 1870 for the promulgation of proclamations.

Question put.

The Committee *divided*:—Ayes 15; Noes 197: Majority 182.—(Div. List, No. 221.) [4.55 p.m.

The Chairman of Committees in the Chair. [5.0 p.m.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Mr. GRAY said, that, as the clause now stood, there was insufficient provision for the promulgation of the warrant, and in that respect the Bill was much less minute than the Act of 1870. According to the clause, the proclamation of a district was to provide for the manner of the promulgation thereof, which really meant that the Lord Lieutenant would do what he pleased. It showed the progress the Government had made on the road to coercion in Ireland between 1870 and 1882. He invited the Prime Minister, who was responsible for the Act of 1870, to mark the advance that had been made on this particular subject.

Mr. O'SULLIVAN said, that the result of the clause in its present form would be that a district would be proclaimed three or four days before the people were aware of it.

Sir JOSEPH M'KENNA said, he mentioned incidentally, when the Committee were discussing the preceding Amendment, that, in his opinion, there should be a promulgation of the proceedings in two newspapers. That would suffice to insure an amount of publication that would meet the case; and he would trust to the Lord Lieutenant to select the proper newspapers. He thought there was a grave objection to the proposal that the Government should be under the necessity of proving that the newspapers in which a promulgation was inserted should circulate in the district.

Mr. BYRNE thought it would be of the greatest assistance to the authorities to publish the promulgations as widely as they could, and he felt bound to oppose the passing of this clause.

Question put.

The Committee *divided*:—Ayes 181; Noes 15: Majority 166.—(Div. List, No. 222.) [5.10 p.m.

Clause 21 (Supplemental provisions as to proclamations and orders).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Mr. ARTHUR O'CONNOR said, he wished to ask a question of a legal character. He desired to know whether the construction of the clause would make it necessary for the Lord Lieutenant to take the advice of the Privy Council, when he considered it desirable to alter or revoke any order made by him?

THE ATTORNEY GENERAL (Sir HENRY JAMES) replied that it would.

MR. ARTHUR O'CONNOR asked, whether, if the Lord Lieutenant had made an order against a public meeting, and had described it as illegal upon imperfect information, and found that there was a very short time before the meeting would be held, it was incumbent upon him to take the advice of the Privy Council when he found that the proclamation was unfairly made? He thought the hon. and learned Gentleman the Attorney General would find there was a good deal in that point.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the Government would consider whether it would be advisable to strike out the words "or order."

MR. O'SULLIVAN said, a copy of each warrant was to be laid before Parliament, and he should be sorry to see the clause containing that provision rejected.

Question put, and *agreed to.*

Clause *ordered* to stand part of the Bill.

Clause 22 (Regulations as to courts).

THE ATTORNEY GENERAL (Sir HENRY JAMES) moved to strike out the clause, and said he should ask leave to introduce another clause in its place.

Motion made, and Question, "That Clause 22 be struck out of the Bill," —(*Mr. Attorney General,*) — put, and *agreed to.*

Clause 23 (Rules of procedure in Schedule) *agreed to,* and *ordered* to stand part of the Bill.

Clause 24 (Allowances to judges, witnesses, and others).

THE ATTORNEY GENERAL (for Sir WILLIAM HARCOURT) rose to move, as an Amendment, in page 12, line 5, at beginning, to insert—

> "There shall be paid out of the Consolidated Fund such allowances to judges, chairmen of counties, and."

MR. O'KELLY said, the Committee had now been engaged for 27 consecutive hours, and he felt he had reached a point of physical exhaustion when it would be impossible for him to continue to pay attention to the work of the Committee. There were also other important reasons why they should postpone the further consideration of the Bill. He was personally of opinion that the Committee could not wisely or quietly continue the discussion of its provisions. It was of great importance for the future of the measure that the people of Ireland should have some faith in the criticism to which the measure had been subjected, and in the absence of hon. Gentlemen who possessed, in an extraordinary and special degree, the confidence of the people of Ireland, he thought it most unwise to continue the discussion. The object of the measure, as he understood it, was to put down crime and outrage in Ireland. He held that the Committee had that day set the people of Ireland such an example of illegality——[*Cries of* "Order!"]

THE CHAIRMAN, interposing, said, the hon. Member (Mr. O'Kelly) must not discuss matters outside the question now before the Committee.

MR. O'KELLY said, he was speaking of Members of the Committee, and he held that an example had been set to the people of Ireland that day which was likely to——

THE CHAIRMAN, again interposing, said, the hon. Member was straying from the subject.

MR. O'KELLY said, he had very little more to say; in fact, he had said what he wished to say. His experience in that House was that the presentation of reasons by Irish Members had very little effect either upon that Committee or upon the House. [*Cries of* "Order!"] He regretted that as much, perhaps, as some of those Members who cried "Order!" because he thought it a bad thing for the future of his own country, and, perhaps, a bad thing for the future of Europe. He had been connected during the past few years with a Party who had made strong efforts to turn the attention of the people——[*Cries of* "Question!"]

MR. A. GREY asked whether the hon. Member (Mr. O'Kelly) was in Order?

THE CHAIRMAN replied that the hon. Member could not make a general speech upon a Motion to report Progress.

Mr. O'KELLY said, he was simply giving some reasons for the Motion he was about to make. He did not regard that Motion as simply a Motion to report Progress; but he intended it to be in the nature of a protest against the action of the Committee.

The CHAIRMAN remarked that the hon. Member was apparently trying to come into collision with the Chair. The hon. Member could not make a Motion to report Progress a Motion of protest against anything that had occurred, and he should ask him to be careful.

Mr. O'KELLY said, he had no desire to come into collision with the Chair. Nothing was further from his view. He believed that in the course he had taken he was strictly within the Rules of the House; but as the Chairman had defined his position as one of defiance to the Chair, he immediately bowed to his ruling, and would simply conclude by moving that Progress be reported.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. O'Kelly,*)—put, and *negatived.*

The decision being challenged,

The CHAIRMAN stated that several utterances on the part of the Ayes came too late for him to take notice of them.

Mr. GRAY begged to move that the Chairman leave the Chair. He thought they had reached a point in the Bill in which it was quite impossible that hon. Members could take any useful part in the discussion of the Amendments. They had now reached a clause involving a very important principle, which they claimed the right, if they had the physical power left them, to discuss. He did not think the Committee would receive any observations they might make in a manner which would be at all hopeful. He himself had now been in the House 20 hours continuously, and he did not think it was their duty simply to exhaust nature to the last point, in order to gratify a Government which was using its majority to physically exhaust a small Party. He was only sorry that the Government had not announced their intention before that. If that was the determination of the right hon. Gentleman the Prime Minister, it would be more considerate if he would say so frankly to the Committee, and let them go about their own business. He (Mr. Gray) was determined to persevere in the present Motion, and protested against the Committee proceeding further at that present moment.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Gray.*)

The ATTORNEY GENERAL (Sir Henry James) said, it should be pointed out that to that clause no Amendment whatever had been placed upon the Paper, except the Amendments of his right hon. and learned Friend the Secretary of State for the Home Department. The fact was worthy of notice, for all the hon. Members from Ireland, carefully watching this Bill for weeks, with this clause before them, could not find one Amendment to put on the Paper. Now, however, he understood the hon. Member for Carlow (Mr. Gray) to say that he could not give proper consideration to the clause.

Mr. GRAY replied, that the explanation of that was perfectly simple. There was no need of putting down Amendments, because it was the principle of the clause altogether to which they objected. He declined to enter into any discussion of it now.

Mr. SHEIL said, it seemed to him that if the argument of the hon. and learned Attorney General held good as to that clause and other clauses, it would not hold good as to Clause 26, to which there were Amendments. He (Mr. Sheil) believed his hon. Friend the Member for Carlow (Mr. Gray) would be satisfied if the Government would allow Progress to be reported on reaching Clause 26. [*Cries of* "No!"]

Mr. O'SULLIVAN objected to the power of payment of the expenses of witnesses as likely to lead to bribery.

Question put.

The CHAIRMAN declared that the Noes had it. [*Cries of* "No, no!"]

The CHAIRMAN said, hon. Members must challenge the Motion so that their challenge should reach the Chair.

Mr. GRAY said, he had challenged the Motion as loudly as he could.

The CHAIRMAN said, that, if that was so, he was under a misconception, and he would put the Question again.

Question again put.

The Committee *divided*:—Ayes 11; Noes 176: Majority 165.—(Div. List, No. 223.) [5.40 P.M.

THE ATTORNEY GENERAL (Sir HENRY JAMES) moved, as an Amendment, in page 12, line 5, before the word "there," to insert the words—

"There shall be paid out of the Consolidated Fund such allowances to judges, chairmen of counties, and."

Question proposed, "That those words be there inserted."

MR. W. J. CORBET said, he was convinced of the necessity of bringing the Sitting to a close, and he would, therefore, move to report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. William Corbet.*)

The Committee *divided*:—Ayes 11; Noes 172: Majority 161.—(Div. List, No. 224.) [5.45 P.M.

Question again proposed.

MR. LEAHY said, he would now move that the Chairman do leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Leahy.*)

MR. M'COAN said, he was as much opposed to that system of procedure as any man in the House; but he thought hon. Gentlemen behind him had done enough to meet the honour of the case. He would make an appeal to the Prime Minister, who was not yet committed to any pledge against what he (Mr. M'Coan) was now going to suggest. If Clause 30, which contained an important provision respecting the operation of the Bill, were suspended till a later stage—[*Cries of* "No!"]—he thought his hon. Friends would have no further excuse for Motions to report Progress.

MR. GLADSTONE: I have already stated that I could not agree to that.

MR. GRAY said, he was sorry his hon. Friend the Member for Wicklow (Mr. M'Coan) had made an appeal which he (Mr. Gray) foresaw the Government would not grant. His hon. Friend thought they had done sufficient for honour. He (Mr. Gray) really did not know if there was any particular question of honour involved; it was a question of duty. As to the means which could best be adopted to prevent the progress of a Bill to which they were all conscientiously opposed, they were novices; but if the Prime Minister would give them some of his experience gained in passing the Divorce Bill, or the President of the Board of Trade, and the Secretary to the Treasury, would tell them how to go on, it would be an advantage. He (Mr. Gray) did not understand the procedure so well as those right hon. and hon. Gentlemen, and Irish Members could only enter their protest in the rough-and ready manner which they had adopted.

MR. ARTHUR O'CONNOR said, he, contrary to his hon. Friend (Mr. Gray), was glad the appeal of the hon. Member for Wicklow (Mr. M'Coan) had been made, because it revealed the situation in all its nakedness. The Government had evidently made up its mind, and the Committee had made up its mind, to pass this Bill, right or wrong. ["Hear, hear!"] Well, he knew that very well, and that the hon. Member's appeal would be futile. He (Mr. Arthur O'Connor) would not have condescended to make it himself; but he was glad it had been made. If the Government meant to pass the Bill as soon as it could, there were half-a-dozen of them who must do what they could, if only for the sake of the independence of Members of Parliament. ["Oh!"] Yes, there had been Members of Parliament who, under circumstances much less grave than those in which they stood, would have warned the Government that, if the House of Commons and the Government of the Crown were to pass measures subversive of liberty, the people had rights behind them all. It was in that House that Charles James Fox reminded the Coercion Ministry of his day that, if they attempted to pass a measure equal only to one small portion of the present Bill, they might pass the measure, but they could not deprive the people of the right to resist measures subversive of public liberty. But the days of Fox had gone, and the spirit which animated Members of Parliament then was gone too. Proposals were now made in this House which would have been scouted from the old House of Commons in the days of Pitt and Fox. If any man wanted to appreciate the descent that had been made, let him read the speeches made in the year 1795, when the Government proposed coercive measures, and then let them complain, if they could, of the conduct of the Irish Members. It was nothing like what it was then. Let the Government pass their Bill. They that were left could only stand in the gap as long as they could; and until they were swept out they would stand in the gap.

Mr. O'SULLIVAN said, he regretted the Government's refusal to agree to the proposal of the hon. Member for Wicklow (Mr. M'Coan). They were a very small number; but, at the same time, they must do what they could to oppose this measure. It was a measure of the worst class of coercion which had been brought in for half-a-century, and they would not be doing their duty if they did not object to its passing.

Question put.

The Committee *divided:* — Ayes 9; Noes 171: Majority 162.—(Div. List, No. 225.) [5.55 P.M.

Question again proposed.

Mr. O'SULLIVAN moved that the Chairman report Progress. He did so on account of what took place in the earlier portion of the day, when he understood the Prime Minister said that if he saw a fair and reasonable amount of progress made, he would make a statement to the House as to what course he would pursue. After that, he would ask the right hon. Gentleman what he considered a fair day's progress? Up to that point, they had passed six important clauses of a Bill which suspended trial by jury and levied a blood tax, and he should like to know upon what they could, or had a right to, speak more strongly than that Bill? When the right hon. Gentleman was asked how far he would go with the Bill that day, he said when he saw a sufficient amount of progress made he would make a statement as to what he would do; but now the right hon. Gentleman said the Bill, the whole Bill, and nothing but the Bill, must be finished that night. He (Mr. O'Sullivan) had said he would ask his hon. Friends to withdraw all their Amendments to the Bill, if the right hon. Gentleman would allow Clause 30 to be adjourned; but, notwithstanding the assurance that he would be satisfied with a fair day's work being done, the right hon. Gentleman would not adjourn the clause, which was the last and the most important of them all.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Mr. O'Sullivan.)*

Mr. LALOR said, the hon. Member for Limerick (Mr. O'Sullivan) was trying to do what no one ever did, and what no man ever could do—and that was to confine the right hon. Gentleman the Prime Minister to any statement that he had made—["Oh, oh!" *and* "Order!"]

The CHAIRMAN: The hon. Member for Queen's County (Mr. Lalor) has cast an imputation upon a Member of this House, and he must withdraw the expression.

Mr. LALOR: So far as it concerns the honour of the right hon. Gentleman, I do; but, at the same time, I say it is a matter of fact—[*Laughter, and cries of* "Order!"]

The CHAIRMAN: I must ask the hon. Member for Queen's County to withdraw the statement unconditionally.

Mr. ARTHUR O'CONNOR: I rise to Order.

The CHAIRMAN: Order! Order!

Mr. ARTHUR O'CONNOR: I rise to Order.

The CHAIRMAN: Does the hon. Member for Queen's County (Mr. Lalor) withdraw the imputation?

Mr. LALOR: It is quite possible that you may have misunderstood me, Sir. I say, as a fact, the right hon. Gentleman never makes a statement that he does not leave a loophole through which he may escape, and in that way you cannot confine him.

The CHAIRMAN: The hon. Member has not withdrawn the expression; and if he does not do so, he is defying the authority of the Chair, and I must take other and necessary means.

Mr. LALOR: If you put it in that way, that I defy the authority of the Chair, I do withdraw it.

Question put.

The Committee *divided:* — Ayes 9; Noes 173: Majority 164.—(Div. List, No. 226.) [6.15 P.M.

Question again proposed.

Mr. BYRNE moved that the Chairman leave the Chair. He made the Motion with very great reluctance; but he thought, after the conduct of the Government towards the Irish Members, he should be wanting in his duty if he did not protest, in the strongest manner, against the action of the Government. It appeared to him that the passing of a Bill was of no account to the Government, so long as they did pass it, whether it touched the lives and liberties of the Irish people or not. They ought not thus to attempt to rush it through, and it was in the belief that their conduct was unjust and unfair that he made the Motion he did.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Byrne.*)

Mr. HENEAGE rose to Order, and asked if the time had not arrived for the Chairman to take action? And he wished also to put this question—Whether, considering the systematic manner in which these Motions were being made, and the language that accompanied them, it did not amount to absolute Obstruction and nothing else?

The CHAIRMAN: In answer to the appeal made to me, I must caution hon. Members who are making these dilatory Motions that they are pursuing the same course which drew upon other Members the displeasure of the Committee in an earlier portion of the day.

Mr. GRAY said, he saw no analogy between the two cases. He was warmly in accord with the Motion, and he should support it, and any further number of them, as a protest against the Government in endeavouring by physical force to compel the Committee to pass a Bill within a certain number of hours. What they had to consider was whether they were justified in their course of action. He did not expect to be justified in the opinion of the Committee; but, without meaning any disrespect, the Irish Members did look for justification elsewhere. They felt in their own hearts and their own consciences that they were taking a right and proper course, and they must bear the censure that hon. Members thought fit to pass upon their conduct. He was rather inclined to believe that the right hon. Gentleman now at the head of the Ministry had not failed to show his opposition to Bills objectionable to him by making dilatory Motions, and the late Chief Secretary for Ireland (Mr. W. E. Forster) had adopted the same course as a protest against a particular Bill deemed by him to be of a mischievous character. They (the Irish Members) deemed this Bill to be of a mischievous nature; but, up to the present, no dilatory tactics, as the Chairman styled them, had been adopted by moving alternate Motions to report Progress, and that the Chairman leave the Chair, from that side of the House, and all that had been done was not accompanied by anything that could be called by the name of Obstruction. ["Oh, oh!"] Certainly, the discussion had proceeded without the Motions that were now being made, and he thought rightly and properly made, until they found that the Government had come down and got a large number of Members suspended from the service of the House—of course, after the ruling of the Chair, he did not intend to discuss that matter, as he meant to keep within the Rules of the House—but when they found the Government, by relays of Members, had come to a fixed determination upon the matter; when they knew there was no object in so acting, excepting the triumph of defeating nine men—on which they might be congratulated bye-and-by—when they knew that no advantage to the Public Service was to be attained, because the Government had already announced their intention of introducing Rules of Urgency on Monday; when they found that the Prime Minister, at an earlier part of the morning of the second day they had been kept there, had held out hopes to them that there would be an adjournment, it did not matter what arguments were used against them, but he said they were perfectly justified in the course they had adopted. They were justified in saying, now they had reached a contentious clause of the Bill, that although a small majority—["Minority!"]—he hoped hon. Members would pardon him; but he had now been in the House continuously for 22 hours—they were justified in saying the Committee had gone far enough, and if the Committee denied them their rights, then the odium would fall upon those men who sought to stifle free speech.

Mr. ARTHUR O'CONNOR said, the Chairman had intimated that he should have to caution hon. Members against a repetition of the conduct which had led to the suspension of other Members; but he (Mr. Arthur O'Connor) did not know what conduct had led to that penalty, as he himself had seen nothing.

THE CHAIRMAN: The hon. Member must not discuss the question of the suspension of the Members this morning.

MR. ARTHUR O'CONNOR said, he knew he must not, and that was the reason he was not going to do so; but he meant to say he had seen nothing in their conduct.—[" Order! "] If hon. Members would quietly listen they would hear what he had to say. He did not see anything in the conduct of hon. Members to incur the pains and penalties of suspension, and, therefore, he was not in a position to appreciate the significance of the caution just given to him. If he was told to learn by their example, he should certainly like to be told what they had done. He understood they had been expelled because they had offered resistance to this Bill. [*Cries of* " Obstruction! "] He was not disturbed by cries of " Obstruction," and he should do what he thought fit in the matter, whatever might happen. Of course, the Irish Members had opposed the provisions of the Bill; but they had not done so more than the English Members would have done, if such a Bill had been directed against their own countrymen. The opposition had been nothing like the opposition which the Government quietly put up with from another section of the House over the Hares and Rabbits Bill of a previous Session. In many of the Sittings upon that Bill, there was not a clause taken in an entire evening; whilst now, the Committee had passed a number of most significant clauses. The Irish Members had not offered anything like an unfair opposition to the Bill. The Government evidently meant to pass the Bill at this Sitting, in spite of their protests and reasoning; and, if so, it remained for them to make such a stand as they could, and to have recourse to all the Forms of the House. No doubt, that course might exasperate certain hon. Gentlemen. Well, they must be exasperated; that was all. The Irish Party were exasperated, too, at seeing the liberties of their countrymen trodden down and trampled under foot. Therefore, they took the only course that was open to them, and they entrenched themselves behind the Forms of the House. The Government might propose their suspension, and they could be thrown out. Therefore, if the Government wanted to save time, let them do that at once; but while they had the power to resist they were determined that the Government should not pass the Bill until there had been a full and fair discussion of the clauses, and they could not do that as the Committee was at present constituted, because the men who had studied it most closely were not present, and, consequently, it was not possible to obtain a very effective criticism of the Bill, the numbers present being exhausted, and not enjoying the qualifications possessed by their absent Colleagues. It was not fair that the Committee should go on with the consideration of the Bill; but as that had been stated over and over again, he would suggest to his hon. Friends that it was not worth repeating. At the same time, if his hon. Friend the Member for Wexford (Mr. Byrne) went to a division, on their return from the division, if no one else repeated the Motion, he (Mr. O'Connor) would, whatever might be the consequences. He was aware that the House could do a great deal. It might suspend him, or send him to the Tower; and he must say that the only consideration that weighed with him was the leniency of the treatment the House had extended. That leniency was painful. If there were some serious penalty attached, a Member might not care about offending, but the penalty was so slight and so ephemeral, that it did not require any great amount of courage to submit. He had no wish to incur suspension; but he would go on with his opposition to the Bill as long as he possibly could, and the Committee could take what course it chose.

Question put.

The Committee *divided:* — Ayes 8; Noes 175: Majority 167.—(Div. List, No. 227.) [6.35 P.M.

THE CHAIRMAN: The Question is, " That those words be there inserted."

MR. ARTHUR O'CONNOR said, he did not know what the words were; but they related to a clause under which the Committee were asked to vote a sum of money; and if there was one thing the

House of Commons ought to treat with deliberation and care, it was a question relating to the public purse. The Bill which was of a character that he need not describe, depended upon this clause for its being carried into effect; and if he could defeat the clause, he would be able to defeat the Bill. The Irish Members strongly objected to the clause, and believed they had a right to demand that it should not be considered until the Committee was re-established in its integrity, and until those hon. Members whose absence they deplored, and from whose absence they suffered, were able to be present and give sound advice. Under these circumstances, he moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur O'Connor.*)

COLONEL KINGSCOTE asked if the hon. Member for Queen's County (Mr. Arthur O'Connor) was in Order in moving to report Progress? He (Colonel Kingscote) thought the Committee would go with him, when he said that it was trifling with the Committee to make such Motions continually.

THE CHAIRMAN: The Chairman is only the exponent of the wishes of the Committee, and I have waited to see whether the Committee entertain the same view that I do. The Question is that I report Progress, and ask leave to sit again.

MR. ARTHUR O'CONNOR (remaining seated and covered): I understand, Sir, that your ruling is a vindication of my conduct, and that I am entitled to make the Motion?

Question put.

The Committee *divided:* — Ayes 8; Noes 169: Majority 161.—(Div. List, No. 228.) [6.55 P.M.

MR. O'KELLY: I move that the Chairman leave the Chair. I do so as a protest, perhaps the final protest, that we shall be able to make against the passage of this measure. The clause on which the Motion is made affects a vital principle of the Bill; and, in fact, if it were left out, the Bill would be unworkable. It is for that reason that we have put down no Amendments to the clause. We believe that this and the other clauses destroy the liberty of our countrymen, and every right that free men are in the habit of holding dear. With the Bill, Constitutional liberty will come to an end in Ireland, and I, for one, am resolved not to be a party any longer to the farce of passing such a measure. This Bill is not merely a legislative act; it is an act of war on Ireland and her people. Its consequence will probably be very unfortunate. We have no longer power to resist its passage, or to make other Constitutional efforts in this House to modify the measure and lessen the evil effects that we fear must spring from it. The disappearance from this House of the ablest men of our Party has, so to speak, taken away the right arm on which Ireland is wont to depend for the defence of her liberty. We are here merely as a maimed Party, and we can no longer offer an effective resistance. Under those circumstances, I consider it my duty to oppose, to the utmost of my power, the further progress of this measure in Committee.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. O'Kelly.*)

SIR HUSSEY VIVIAN: I think that the Committee must feel that the time has fully come when this, which I would almost call a farce, should be brought to a close. These repeated Motions for reporting Progress, and that the Chairman leave the Chair, are simply intended to delay the transaction of Business. No one doubts it; in fact, hon. Members who take that course avow it openly. Under those circumstances, it will not be denied that their action comes within the Standing Order of this House, which prohibits such a course being pursued. I, therefore, most earnestly appeal to the Leader of the House not to allow this state of things to continue in absolute opposition to and disregard of the Standing Order, and that he will take such measures as are necessary to re-establish the dignity and Order of the House.

SIR R. ASSHETON CROSS: Mr. Playfair, whilst agreeing with the general tenour of the remarks of the hon. Member for Glamorganshire (Sir Hussey Vivian), I think that there is one matter on which correction is necessary. According to the Standing Orders of this House, the responsibility of taking action does not rest with the Leader of the House, but with the Speaker or the Chairman of Committees. On the general question, I am bound to say that the action taken by the hon. Members who have spoken from below the Gangway has certainly most severely tried the patience of the Committee; and it must be evident to everyone, by their own admission, that it has been taken for the purpose of obstructing the further progress of Business. However, it is a question for the Chairman, and no one else, to judge of the feeling of the Committee and the action that should be taken.

Mr. GLADSTONE: The right hon. Gentleman opposite (Sir R. Assheton Cross) has stated the Law of the House on this subject with perfect accuracy. At the same time, as an appeal has been made to me, although I have no duty of taking the initiative in the matter, I think that it is my duty to answer the appeal, and at least give my opinion. I am bound to say that I cannot for a moment entertain a doubt as to the application of the Standing Order to the case before us. It is to be remembered that the Standing Order is broad in its construction. It provides for the case of disregard to the authority of the Chair, and it entirely provides for the case of abusing the Rules of the House by persistent and wilful obstruction of Business—that is, of turning to account the unbounded license and general process of the Rules of the House for the purpose of enabling a minority to place its own will in the place of that of a majority, and thereby, with full knowledge and continued perseverance, to obstruct wilfully and persistently the Business of the House. It is, therefore, unnecessary to be warm on this subject. I take it that it is a question of the true construction of language, and I would almost be content to appeal to the hon. Gentlemen who voted in the minority in this case to say whether it is not fair to allege that, from the point of view of the majority, such a use of the Rules of the House for such a purpose was abusing the Privileges of the House?

The CHAIRMAN: I think it now my duty to Name Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil, as having abused the Rules of the House by persistent and wilful Obstruction of the Business of the Committee.

Mr. GLADSTONE: This is the point at which the initiative of Her Majesty's Government comes into operation, and it is my duty to move that the Gentlemen named be severally suspended from the service of the House during the remainder of this day's Sitting.

Motion made, and Question, "That Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil be severally suspended from the service of the House during the remainder of this day's Sitting,"—(*Mr. Gladstone*,)—put, and *agreed to.*

Whereupon the Chairman left the Chair to report the said Resolution to the House.

Mr. Speaker resumed the Chair.

Mr. PLAYFAIR reported to Mr. Speaker, that Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil, had been severally Named by him to the Committee for having abused the Rules of the House by persistent and wilful obstruction of the Business of the Committee; and that the Committee had resolved that Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil be severally suspended from the service of the House for the remainder of this day's Sitting.

Mr. SPEAKER forthwith put the Question to the House, "That Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil be severally suspended from the service of the House during the remainder of this day's sitting."

The House *divided:* — Ayes 128; Noes 7: Majority 121. — (Div. List, No. 229.) [7.15 P.M.

Motion *agreed to.*

Then Mr. Speaker directed Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil to withdraw, and they withdrew accordingly.

The Entry on the Votes is as follows:—

Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil having been severally Named by the Chairman for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee:—

Motion made, and Question, "That Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil be severally suspended from the service of the House during the remainder of this day's sitting,"—(*Mr. Gladstone,*)—put, and *agreed to.*

Whereupon the Chairman left the Chair to report the said Resolution to the House.

Mr. Speaker resumed the Chair, and Mr. Playfair reported to Mr. Speaker that Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil, had been severally Named by him to the Committee for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee; and that the Committee had resolved that Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil be severally suspended from the service of the House for the remainder of this day's sitting:

Mr. Speaker forthwith put the Question to the House, "That Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil be severally suspended from the service of the House during the remainder of this day's sitting:"—The House *divided;* Ayes 128, Noes 7.

Then Mr. Speaker directed Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil to withdraw, and they withdrew accordingly.

Then the House again resolved itself into the Committee on the Bill.

(In the Committee.)

Question, "That the Chairman do now leave the Chair,"—(*Mr. O'Kelly,*)—put, and *negatived.*

Amendment, in page 12, line 5, at beginning, insert "there shall be paid out of the Consolidated Fund such allowances to judges, chairmen of counties, and,"—(*Mr. Attorney General,*) — put, and *agreed to.*

SIR WILLIAM HARCOURT moved, in page 12, line 6, to leave out the words "judges and."

Amendment proposed, in page 12, line 6, leave out "judges and."—(*Sir William Harcourt.*)

Question proposed, "That those words be there omitted."

MR. MACFARLANE said, that he was not going to express any opinion as to what had taken place; but it was quite obvious that with so many Irish Members absent, it would be perfectly impossible for them to carry on, with any degree of intelligence or equality, the discussion upon the remainder of the Amendments. Therefore, he did not intend to delay for a single moment the passing of the Bill, either by word or vote, although he believed it was an excessive measure and far beyond the necessities of the case. He had voted for the whole of the Amendments which had been moved from that side of the House, but was not conscious of having given one single obstructive vote. He did not now, however, propose to discuss the Bill any further, for he felt that, so far as his small voice was concerned, it would be useless to offer any further resistance. He would leave the whole responsibility in the matter to the Government.

MR. M'COAN said, that he equally felt, considering the present state of the Irish Benches, that it would be idle—if indeed it would not be a sheer waste of time—to drag the Members of the Committee any more through the Division Lobbies with the object of showing formal opposition. Therefore, so far as he was concerned, and he thought he might speak also for the few hon. Members from Ireland sitting near him, he should cause no further delay by taking any part in the discussion of the proceedings.

Amendment *agreed to;* words *omitted* accordingly.

On Motion of Sir WILLIAM HARCOURT, further Amendment made in page 12, line 9, after "expenses of," insert "persons charged, counsel, and."

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

On Motion of Sir WILLIAM HARCOURT, Clause 25 (Rules for procedure and matters to be prescribed), *struck out* of the Bill.

Clause 26 (Powers of Act to be cumulative).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. LABOUCHERE said, that he had intended to move some Amendments which stood in the name of the hon. Member for Wexford (Mr. Healy). He suggested that, as now a large number of the Irish Members were suspended, it would be exceedingly graceful on the part of the Home Secretary if he accepted the Amendments that stood in their names. On one of them——

THE CHAIRMAN pointed out that he had already proposed the clause to the Committee, and no Amendment could be put.

MR. LABOUCHERE said, that, in that case, he would ask the right hon. and learned Gentleman to consider the Amendments on Report.

SIR WILLIAM HARCOURT said, if they had some time ago taken the course suggested by the hon. Member for Northampton (Mr. Labouchere), no doubt they should have facilitated considerably the passage of the Bill. He had no objection to accept one of the Amendments, that the words "more than once" should be substituted for "should not be twice punished for the same offence."

Question put, and *agreed to*.

Clause *ordered* to stand part of the Bill.

Clause 27 (Definition of "unlawful associations").

On Motion of Mr. GIBSON, the following Amendments made:—In page 12, line 33, leave out "or carrying on operations;" and in line 34, at end, add "carrying on operations for or by the commission of crimes or."

MR. LABOUCHERE (for Mr. REDMOND) moved to omit the following subsection of the clause:—

"And the expression 'crime' for the purposes of this section means any offence against this Act, and also any crime punishable on indictment by imprisonment with hard labour, or by any greater punishment."

THE CHAIRMAN: If the hon. Member wishes to move that, he must do so himself.

MR. LABOUCHERE: Then I move it.

Amendment proposed, in page 12, line 35, to leave out from "crimes" to end of clause.—(*Mr. Labouchere.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the Government could not possibly accept the Amendment.

Amendment, by leave, *withdrawn*.

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clause 28 (General definitions).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendments made:—

In page 13, line 2, at end of line insert as a separate paragraph:—"The expression 'county' includes a county of a city and a county of a town and city and county; the expression 'Attorney General' includes in the case of any vacancy or inability to act the Solicitor General."

And in lines 24 and 25, leave out "police magistrate within," and insert "divisional justice of."

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clause 29 (Short title) *agreed to*, and *ordered* to stand part of the Bill.

Clause 30 (Duration of Act).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. LABOUCHERE said, that he had an Amendment on the Paper to the clause, his desire being to reduce the period of the operation of the Act to two years, and also to provide that in no case should the Act continue in force beyond 21 days after the first Sitting for the transaction of Business of any Parliament subsequent to the present Parliament. He did not, however, intend to press the Amendment if the Government said that they could not accept it;

neither would he divide upon the clause. He, moreover, wished it to be distinctly understood that there were several hon. Gentlemen in the House who did not give their assent to the clause, but who refrained from dividing upon it in order to save the time of the Committee.

Mr. JOSEPH COWEN said, that he agreed with the observations of the hon. Member for Northampton (Mr. Labouchere). There never was a Coercion Bill of the extent of the present measure, or that was proposed for so long a period. They were asked to give these powers for three years, and, in this respect, the Bill was without precedent. He was bound to say that if when the Bill came up for Report their powers of speech were not taken away from them by the passage of the Urgency Resolution, he would feel it his duty to move an Amendment similar to that of the hon. Member for Northampton.

Mr. BLAKE said, that he thought it was incumbent upon them, though few in number, not to let the clause pass in its present objectionable form without challenging a division. He thought it a most monstrous thing to propose to apply the Act for three years. Although he admitted that, in the present state of Ireland, the Government were justified in bringing in a measure of this character, he could not approve of it in its entirety, and he especially believed that a period of 12 months would be sufficient for its operation.

Sir WILLIAM HARCOURT: It is quite true that the period is longer than is usually taken; but it is for the first time that we have had to deal with persons who do not act in good faith to Parliaments. That is one of the main grounds that we have put this period into the Bill. In former times, when you had men who acted honestly and in good faith towards the House of Commons, you could properly, and with a regard to the public interest, review each year the necessity of a measure of that description. Unhappily, we find ourselves in totally different circumstances. The experience of to-day, and this Session, shows that there are persons whose object is to discuss measures not upon their merits, but having another object—to paralyze the action of Parliament, and bring the House of Commons into disgrace. That being a new and totally different state of things, we have not thought it right to propose a period which would involve Parliament in an immediate reconsideration of the question. At the same time, I would wish the House to understand that it is not in contemplation that there should be a necessity—I hope there may not be—for keeping this Act in operation throughout the whole of Ireland, or in any great part of Ireland. Hon. Members must observe that the most stringent and most obnoxious provisions of the Bill depend upon the proclamation of the Lord Lieutenant. They apply only in proclaimed districts. In any other district of Ireland which is restored to peace and tranquillity, the proclamation of the Lord Lieutenant will be withdrawn, and, practically speaking, the operation of the Bill will immediately come to an end. Therefore, it should not go forth that this is a Bill of three years' duration which will necessarily apply for that period over the whole of Ireland. It is not so. It will apply to no part of Ireland any longer than in the wisdom of the Executive Government it is absolutely necessary.

Sir JOSEPH M'KENNA said, that he quite appreciated the statement that the Bill was only to be of partial operation, for there might be something in it; but, notwithstanding that fact, he thought three years an extraordinarily long period, and he asked whether to reduce the period would not be a proper concession to make to those who had not obstructed the Bill, but took the same view that he did?

Mr. JOSEPH COWEN said, that it was an extraordinary statement of the right hon. and learned Gentleman, that this Bill, which was to entirely suspend Constitutional liberty in Ireland, was made applicable for three years in consequence of the disorganization of the House of Commons.

Sir WILLIAM HARCOURT, interposing, said, that the hon. Member for Newcastle (Mr. Joseph Cowen) had given too wide an interpretation to his remarks. He (Sir William Harcourt) was anxious that it should be understood that the measure was justified by the existing state of things in Ireland, and the Government believed that no less a period than three years was necessary for it to eradicate the evils which, owing to pernicious teaching, had pervaded in that unhappy country.

MR. JOSEPH COWEN: The point I wish to draw attention to is that the Bill is to be continued for three years, in consequence of the disorganized condition of Parliament.

Question put.

The Committee *divided*:—Ayes 69; Noes 6: Majority 63.—(Div. List, No. 230.) [7.50 P.M.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir William Harcourt*,)—put, and *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

House adjourned at Eight o'clock, p.m. on Saturday till Monday next.

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HOUSE OF LORDS,

Monday, 3rd July, 1882.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Merchant Shipping (Colonial Inquiries) * (164); Supreme Court of Judicature Amendment (167).

Committee — Tramways Provisional Orders * (125).

Report—Local Government Provisional Orders (No. 9) * (147).

Third Reading—Local Government Provisional Orders (No. 11) * (152); Tramways Provisional Orders (No. 3) * (149), and *passed.*

Royal Assent — Customs and Inland Revenue Buildings (Ireland) [45 & 46 *Vict.* c. 17]; Poor Rates [45 & 46 *Vict.* c. 20]; Public Schools (Scotland) Teachers [45 & 46 *Vict.* c. 18]; Interments (felo de se) [45 & 46 *Vict.* c. 19]; Pier and Harbour Provisional Orders (No. 2) [45 & 46 *Vict.* c. lviii]; Local Government Provisional Order (Artizans' and Labourers' Dwellings) [45 & 46 *Vict.* c. lix]; Local Government Provisional Orders (No. 2) [45 & 46 *Vict.* c. lx]; Local Government Provisional Orders (No. 3) [45 & 46 *Vict.* c. lxi]; Local Government Provisional Orders (No. 4) [45 & 46 *Vict.* c. lxii]; Local Government Provisional Orders (No. 6) [45 & 46 *Vict.* c. lxiii]; Local Government Provisional Orders (No. 7) [45 & 46 *Vict.* c. lxiv]; Local Government (Ireland) Provisional Orders (No. 2) [45 & 46 *Vict.* c. lxv]; Local Government (Ireland) Provisional Orders (No. 3) [45 & 46 *Vict.* c. lxvi]; Land Drainage Provisional Order [45 & 46 *Vict.* c. lxvii]; Artillery Ranges [45 & 46 *Vict.* c. lxviii]; Local Government Provisional Order (No. 10) [45 & 46 *Vict.* c. lxix]; Tramways Provisional Orders (No. 2) [45 & 46 *Vict.* c. lxx]; Local Government (Ireland) Provisional Orders (No. 5) [45 & 46 *Vict.* c. lxxi]; Roads Provisional Order (Edinburgh) [45 & 46 *Vict.* c. lxxii].

EGYPT (POLITICAL AFFAIRS) — SIR AUCKLAND COLVIN AND MR. BLUNT.

QUESTION. OBSERVATIONS.

LORD WENTWORTH said, he desired to put a Question to the Secretary of State for Foreign Affairs of which he had given him private Notice. It was this, Whether it was true that Sir Auckland Colvin had absolutely denied that Mr. Blunt acted as mediator or intermediary between either himself or Sir Edward Malet and the chiefs of the National Egyptian party during the past winter, after that fact had been publicly affirmed by the noble Earl (Earl Granville) in his place in Parliament? A telegram to which the Question related was published in *The Times* of June 30, dated Alexandria, June 29, in which the correspondent said—

> "I am desired by Sir Auckland Colvin to give the most absolute and unqualified denial to the two assertions made by Mr. Blunt in his letter to Mr. Gladstone. It is utterly untrue that Mr. Blunt was ever employed by Sir Edward Malet or Sir Auckland Colvin as mediator or intermediary, officially or otherwise."

Their Lordships would observe that this put into the mouth of Sir Auckland Colvin not only a contradiction, but a positive denial of a statement made in that House only three days before by his official superior. On June 26, the Secretary of State for Foreign Affairs stated that Mr. Blunt was formerly in the Diplomatic Service, and had personal and unofficial communications with Sir Edward Malet on Egyptian matters, and that on one occasion in December last he was requested by Sir Edward Malet and Sir Auckland Colvin to obtain a promise from the War Minister that no disturbance should arise at the moment when the Controllers refused to allow an increase in the Army. No political feeling had prompted this Question. Mr. Blunt was a near relation of his own, and he had been most unfairly and bitterly attacked. Against Sir Auckland Colvin he had no accusation to make, because, although, if they were to believe the telegrams, he had committed grave official blunders, he was a man of integrity and ability. One main purpose of his Question was to afford the noble Earl such an opportunity as he must himself desire of clearing up this disagreeable affair. He would like also to ask whether the despatch dated on or about December 24, referred to the other day by the noble Earl (Earl De La Warr), and which, he believed, recorded the earlier stages of Mr. Blunt's negotiations, would be laid before Parliament?

EARL GRANVILLE said, he had no complaint to make of the noble Lord's Question. He had seen the telegram in *The Times*, but had received no official communication respecting the employment of Mr. Blunt under Sir Edward Malet in Egypt. He entirely agreed with the noble Lord as to the good opinion which was universally entertained of Sir Auckland Colvin; but he was sorry to say he could not quite agree with the noble Lord in the sympathy which he felt in all the actions of Mr. Blunt. He thought it would be more satisfactory, both to the noble Lord and to other parties, if such Papers as there were on the subject were laid upon the Table.

UNIVERSITIES (SCOTLAND)—LEGISLATION.

QUESTION. OBSERVATIONS.

LORD BALFOUR, in rising to ask Her Majesty's Government, Whether it is their intention during the present Session of Parliament to introduce a Bill into either House of Parliament providing for the appointment of an Executive Commission to deal with the Universities of Scotland? said: My Lords, I wish in a sentence or two to give the reasons which induced me to put this Question on the Paper. During the early part of this year considerable discussion took place with regard to the position of the Universities of Scotland, and as to some reforms which were thought desirable, partly in their constitution, and partly in their practice. There are also various other questions—notably, the necessity of inducing, if possible, Her Majesty's Government to give some further financial aid towards enabling the Universities to keep themselves abreast of the necessities of the time in regard to their staff of Professors and their appliances for education. Two or three deputations have waited upon the noble Earl opposite (the Earl of Rosebery), and have laid their views before him. I think we are not wrong in gathering that at least the noble Earl personally is in favour of the issue of such a Commission as that suggested in this Question. As your Lordships are aware, a Professor in the University of Edinburgh who was appointed subsequent to that time was appointed on the understanding that he should accept his appointment subject to any conditions which might be imposed upon him by a Commission of this kind. Now, my Lords, though I have placed this Question upon the Paper, I do not want to give your Lordships the impression that I should be entirely in favour of appointing an Executive Commission, certainly not until we have some indication of the instructions to be given to it, and the powers which it is to exercise. I believe a very large proportion of the reforms which are required in the Universities of Scotland might possibly be obtained without the intervention of a Commission of this kind; at the same time, if an application were made, as I believe it practically has been made on behalf of at least one of the Universities, if not more, for a grant from the Treasury, it would, perhaps, be advisable that the administration of the grant should be settled by an Executive Commission. I do not want to raise a discussion upon any controverted point upon the present occasion; but of this I am perfectly certain, that it is not to the interest of the Universities of Scotland that there should be a continued state of uncertainty existing as to whether a Commission should be appointed or not. Though I am prepared to receive from the noble Earl a reply to the effect that the state of Public Business in "another place" has not been such as to favour the introduction of a Bill for the appointment of an Executive Commission, still it would be of importance to have from Her Majesty's Government a definite statement of their intentions, so far as it is possible for them to give one on this subject. Therefore, on these grounds, I venture to put the Question which stands in my name on the Paper.

THE EARL OF ROSEBERY: My Lords, I am very much indebted to my noble Friend for having put his Question, as it relates to a matter in which considerable interest is taken in Scotland. He is quite correct in believing that it was the intention of Her Majesty's Government to introduce a Bill providing for an Executive Commission to deal with the Scotch Universities. A Bill is in draft, but there it has stopped. It will not be possible for Her Majesty's Government to introduce any such Bill this Session. The noble Lord gave a sufficient answer to his own Question when he alluded to the distracted state of Business in the other House of Parliament. As to introducing the Bill into this House—in the first place, it was quite possible, though not absolutely certain, that owing to its financial clauses it would have been informal to introduce it in this House; and secondly, it seemed to us that if we had no prospect of carrying the Bill in the other House of Parliament it would be much better to allow it to remain in the pigeonhole where it now is. As to the prospect for next Session, I can only offer as strong a promise as, humanly and politically speaking, I am entitled to do, that Her Majesty's Government will deal with the subject next year.

AFRICA (SOUTH) — CETEWAYO, EX-KING OF ZULULAND — PROPOSED VISIT TO ENGLAND.

QUESTION. OBSERVATIONS.

Earl CADOGAN, in rising to call attention to the Papers lately presented to Parliament with reference to the proposed visit of Cetewayo to England, said, he must first express his regret that his noble Friend the Secretary of State for the Colonies had not been able to give their Lordships the subsequent despatches to those already on the Table.

The Earl of KIMBERLEY said, he intended, as soon as possible, to lay them before the House.

Earl CADOGAN said, he had obtained his information from the despatches in the Blue Book, and from the statement made by the Under Secretary for the Colonies in "another place," though that course had been inconvenient. He now learnt for the first time that some telegrams had been laid on the Table. He might state that it was about 10 months ago that the rumour spread that it was the intention of Her Majesty's Government to allow Cetewayo to visit England. The report was received at first with incredulity, and when it was found to be correct, it was regarded with considerable anxiety. The country had, however, as far as he was aware, received no official information on the subject until the presentation of the Blue Book about 10 days ago. The first despatch was from Cetewayo in May, 1881, containing a request to be allowed to come to this country, and then followed several despatches from the Government to the effect that they would consider what arrangements should be made. Subsequently, they said that they could not fix any time, and then Cetewayo was told that his visit must be postponed for a time. It was clear that the object of Cetewayo in visiting this country was to obtain his restoration to his country, and if his visit did not secure that result false hopes would be raised. They learnt from these Papers that the difficulties and dangers of his coming were well known to his noble Friend before he made any promise, and there were not only social, but legal difficulties. There was the difficulty as to what should be done with him. He was now incarcerated under a local Act of Parliament; and it appeared to the noble Earl and his legal advisers that if he were removed from the Colony he would be at large, and therefore another Act would be required to enable the authorities to keep him in prison at the Cape; but the Government of the Cape had refused to pass such an Act, and the noble Earl was left in a dilemma—there would be no alternative left but to send Cetewayo to the Mauritius or some other place—that was to say, assuming that the noble Earl had no idea of restoring him to his former authority in Zululand. As time went on, the noble Earl appeared to acknowledge the dangers which surrounded this enterprize, and how it might affect the peace of South Africa; therefore it was thought that the subject could be dealt with by delays and postponements from time to time. That was, however, a course most fatal to success in dealing with the Natives of South Africa. He would remind their Lordships that the rule of Cetewayo was of the most savage description, and that his name represented violence and bloodshed. He held absolute sway and power in his country—

the power of life and death—and his consent to the marriage of his subjects was required. Though he did not originate, he strengthened the military system, which had been the curse of Zululand. After the war, Cetewayo found himself a prisoner in the Cape Colony, and at the mercy of his former foes, and no doubt he fully realized the weakness of his present position, and that caused him to write to Mr. Gladstone and others to ask that his case should be reconsidered. Now, if he (Earl Cadogan) understood the real objects of the policy which had been adopted by the late Government, and which the noble Earl had carried out since he came into Office, it was that the military despotism established by Cetewayo should be overthrown, not only for the sake of the Europeans interested in Zululand, but for the sake of the peace and prosperity of the English Colonies which it threatened. If the noble Earl had fully resolved on permitting the visit to England of Cetewayo, which those who knew best foresaw would be a source of very great danger, all he could say was that he had been wanting in the first duty of a Colonial Minister—namely, that of consulting the prosperity and the welfare of the English Colonies in South Africa. The last development of the curious Correspondence which they had before them consisted of the telegrams which passed between the noble Earl the Secretary of State for Foreign Affairs and Sir Henry Bulwer, on the 21st and 23rd of June. The noble Earl, in his first telegram, remarked that the postponement of Cetewayo's visit did not appear to avert the disturbances in Zululand. Then, after a communication from Sir Henry Bulwer, the noble Earl consented to permit the visit on the understanding that it in no way committed the Government to any particular course with regard to Zululand. A reason for permitting the visit, which had been alleged by the Under Secretary of State for the Colonies in "another place," was that, as Cetewayo suffered from heart disease, great danger was caused to his life by the shock he sustained when informed of the successive postponements of his visit to England. If all those who were informed that the pledges of the Government were not to be fulfilled were afflicted in the same manner, then the number of the victims of their policy would be very great indeed. What was to be the effect of Cetewayo's visit? For his part, he saw no future for Cetewayo than possibly a prolonged existence in the Mauritius or some other British possession. If the Government had any ulterior motives, or any stronger motive than that of bringing Cetewayo to England, then his object in bringing this subject forward would be fulfilled if the noble Earl would state what those motives were. He had no wish in any way to embarrass the Government. It was, perhaps, too much to hope that the noble Earl would renounce the policy he had adopted, for he had himself stated, with reference to his reversal of policy in another part of South Africa, that it required more courage to change to new than to adhere to former lines. There was no one upon the opposite side of the House in whose sound administration of Colonial matters he, and he believed many of his noble Friends on that side, had so much confidence as in that of the noble Earl. He did not think, however, that he was straining the interpretation of the despatches when he stated that the despatches of the noble Earl himself showed that he had serious misgivings on the matter, because he never once telegraphed without referring to the "sufficient reasons" for Cetewayo's coming to this country. He would, therefore, entreat the noble Earl, while there was yet time, not to adhere to his determination.

LORD STANLEY OF ALDERLEY said, that the gist of the speech of the noble Earl who had just sat down was to oppose the visit of Cetewayo to England, and his possible return to Zululand, and he had dwelt much upon his name being identified with bloodshed and violence, and on the danger to Natal of his return to his country. But until the late Government had allowed Sir Bartle Frere to have his own way, Cetewayo had always been friendly to England, and Sir Henry Bulwer had had no apprehension of danger from him to Natal. Justice and expediency were both in favour of Cetewayo's visit to England. There was no right to retain him any longer as a prisoner, and it appeared from the Blue Book that his health was in danger from his imprisonment. Expediency was all on the side of his being brought to this country, even if he should afterwards go to Mauritius; but if he returned to his own country he would be quite a different man after visiting England, and meeting with a good reception here. His return to Zululand and re-establishment there would be the best check that could be put upon the Boers. He would remind the noble Earl who had just spoken that the Mamertine Prison at Rome was more infamous for having been the scene of the death of Jugurtha, than for having been the scene of the imprisonment of two Apostles.

The Duke of SOMERSET said, that it was obvious from the Papers which had been presented that Cetewayo was strongly opposed to taking a long sea voyage, and that he was only anxious to go to England as a means of returning to his own country. The Blue Book was of a most extraordinary character, containing letters from Lady Florence Dixie, with interpolations, and others on a variety of subjects. What he wanted to know was, what was the object of bringing Cetewayo to this country? Was it to make an exhibition of him in St. James's Hall, with Lady Florence Dixie on one side and Bishop Colenso on the other? They had heard, too, that Cetewayo was complaining that certain of his attendants were kept away from him, and he wished to know if these were to be restored to him. If the Government had made up their minds to sanction his return to his own country, why was he not sent there instead of being brought to this country? He wanted to know upon what grounds the Government had determined that Cetewayo should come to England, and whether he would not cease to be a prisoner after his arrival on these shores with the young people whom he wished to have with him?

The Earl of KIMBERLEY, in answer to the observations of the noble Earl opposite (Earl Cadogan), said, that he had presented Papers on this subject as soon as it had become possible for him to do so. The noble Earl had referred to the Correspondence on the subject of Cetewayo's visit to this country, and had accused him of vacillation. To that charge he could not plead guilty; but he admitted that there might have been a change of purpose at the last moment. When Sir Henry Bulwer telegraphed to him from Natal, recommending a postponement of the visit, he did not feel that he could take upon himself the responsibility of setting that opinion aside. But afterwards the Government watched the course of events, and from information with regard to what was occurring in Zululand, he came to the conclusion that there was no adequate reason to justify a further postponement, and, therefore, intimated by telegram that Cetewayo would be allowed to come here. Sir Henry Bulwer could not be fairly charged with having changed his opinion. On being asked whether there was any urgent reason why the visit should be again postponed, he had merely said that, in the circumstances of the case, he would defer to the views of the Government. His attention was, in the first instance, drawn to this question by a statement that the ex-King desired to come to this country, Cetewayo being represented as suffering from the effects of his captivity, and desirous of laying his case before the Government. Now, when considering the whole matter, people ought to have before their minds the actual position of Cetewayo. Many persons seemed to think that he was a criminal who had been convicted, and was now suffering punishment. But he was, of course, nothing of the kind. Cetewayo was in reality a captive King whom we had dethroned, and whom it was necessary to keep in captivity so long as it might be dangerous to liberate him; but it would be very unjustifiable to retain him in captivity when he could no longer be dangerous. He (the Earl of Kimberley) had never concealed his opinion that the Zulu War was unjust and unnecessary, and if the country shared that view we were incurring very serious responsibility in keeping Cetewayo languishing in captivity; and that responsibility would be greatly increased were we to refuse him permission to come to this country to lay his case before us. Then a very important and paramount question must be considered—namely, whether the present settlement of Zululand was such as to insure the safety and welfare of the neighbouring Colonies. The noble Earl opposite seemed to think that a despatch which had been read laid down once for all that Cetewayo should not return to his country. But what the despatch really conveyed was that by their consent to his visiting England the Government did not intend to create expectations on the subject of his return to Zululand. At the same time, the despatch did not lay down the principle that he should not return to that country. He now came to the Questions asked by his noble Friend behind him (the Duke of Somerset). The noble Duke wished to know what the Government intended to do with Cetewayo when he came to this country—whether they intended to make an exhibition of him? Nothing could be further from their intention. Every care would be taken to prevent anything of that sort. Then his noble Friend asked, Why should he be brought to this country if he must be sent back to Zululand at some time or other? Well, if there really did exist an intention to send him back to Zululand, its existence would be a very good reason for bringing Cetewayo to this country. He was told that it was most important that Natives should deal with principals, and that Cetewayo would feel far more bound by statements made to Members of the Government in person than by declarations made to officials employed by the Government, however high their position. That alone constituted very good ground for bringing Cetewayo to this country. But there was another reason for doing so. Changes would have to be made in the condition of Zululand, and in view of such changes it would politically be very advantageous to have direct communication with Cetewayo, he being a very remarkable man, who was by no means devoid of ability, and who had possessed great influence. Personal communication with him, then, seemed to be plainly desirable. Further, if it should ever be decided to set him at liberty, good could only result from his having learnt the power and resources of this country. Noble Lords asked—"Are you going to send him back to Zululand?" If a decision had been come to on that subject, it would have been already announced. The present position of the question was this—the Government had been forced to the conclusion that the condition of Zululand was extremely unsatisfactory under the settlement arrived at by Sir Garnet Wolseley. He (the Earl of Kimberley) had endeavoured to give that settlement fair play in every respect, although from the first he had felt the strongest doubt whether a settlement which created 13 petty Kings in Zululand, and placed over them a Resident, with power to advise them only, could possibly be satisfactory. He had been actuated in adopting that attitude by the knowledge that it was very undesirable to make constant changes among Native populations. But it was of very little use to give advice unless somebody could enforce its acceptance. It had been foretold that when the Natives should find out that the advice of the Resident amounted to no more than a suggestion, the country would again fall into a state of anarchy, and he had no doubt that the country was approaching that condition by degrees. That being so, it was evident that for the safety of our Colonies it was necessary that there should be some supreme authority in Zululand. The Government, therefore, had the choice of two alternatives—either they must take steps which would amount virtually, if not nominally, to an annexation of the country, or they must reconstitute some Native authority strong enough to preserve order. Sir Henry Bulwer had been instructed to examine the whole question carefully. He possessed special knowledge of the circumstances of the case, and his opinions must carry great weight; and, consequently, he (the Earl of Kimberley) had not thought it right to come to a final decision on this subject before learning the views of Sir Henry Bulwer. The Report of that official had been delayed; but, no doubt, good reasons existed for the delay, important affairs in Natal having occupied his attention and prevented the despatch of the Report. He had urged Sir Henry Bulwer to communicate his views to him as soon as possible, and Her Majesty's Government would then come to a definite conclusion as to the change to be made in Zululand.

VISCOUNT CRANBROOK wished to ask whether the Act of the Cape Legislature for the detention of Cetewayo would not expire on his departure from the Colony? If that was so, he wanted to know by what authority he could be afterwards held in captivity, and whether he would not be a free man, entirely independent of any control?

THE EARL OF KIMBERLEY said, the noble Viscount had reminded him of a point which he had forgotten to mention. The Act passed by the Cape Legislature for the detention of Cetewayo would lapse the moment he left that country. The Law Officers of the Crown held that Cetewayo was a prisoner of war; and that he would remain a prisoner of war to whatever place he was taken. They thought it right, therefore, to leave the matter in the hands of the Cape Government. Further, Cetewayo had distinctly bound himself—and he had no doubt he would adhere to his engagement—to obey all the orders Her Majesty's Government might give him, and to conduct himself in such a manner as they might require.

THE EARL OF CARNARVON said, he regretted sincerely the final decision of Her Majesty's Government to bring Cetewayo to this country. Such a course appeared to him likely to lead to great public inconvenience, if not to considerable risk. When once Cetewayo came it would be very difficult to stop his admirers from evincing their sympathy in a very inconvenient manner. He would remind his noble Friend that the experiment had been tried more than once of bringing West African Princes to this country in order to adapt them to an English career and send them back more capable of carrying out our policy in that part of the world. He could not recall a single instance in which that policy had been a success; on the contrary, in the majority of cases, it had led to failure, and, moreover, there had been a strong suspicion of treachery excited when those Princes returned to their country. Not only from what they could judge themselves, but from the evidence of the Blue Book, the visit of the late Zulu King appeared extremely likely to excite agitation and do mischief in Zululand. Nothing could be stronger on that point than the expressions of Sir Henry Bulwer. His noble Friend denied that there had been any change in Sir Henry Bulwer's opinion. It was perfectly clear, therefore, that Sir Henry Bulwer adhered to the opinion which he distinctly expressed in the Blue Book, but simply waived it in deference to the view of the Secretary of State at home. This visit of Cetewayo clearly meant one of two things, either that he was to be removed to some other place or to be restored to Zululand. He could not remain here, for a winter in this country would kill him. Was it intended that he should be sent to some other place of banishment? The Act under which he was detained at the Cape would expire the moment he left the Colony, and the Cape Government had intimated their intention not to renew it. The only course which seemed possible was to send Cetewayo back to Zululand, and the remarks of his noble Friend opposite pointed to that conclusion. The Blue Book said he was not to expect that this visit was to mean his restoration. But Sir Henry Bulwer said that Cetewayo would expect it, and that the Zulu nation would expect it. Cetewayo said that he would come here in order to appeal to the Queen for his immediate restoration to Zululand. Therefore, they must accept the fact that his coming here meant, in his opinion, restoration to his own country. His noble Friend said that the state of things in Zululand pointed to this, that change was inevitable, and that the present settlement was not likely to hold. But with what fairness could they propose to depose those Chiefs whom they set up in Zululand as petty Kings in order to make way for Cetewayo? There was one, who was best known as John Dunn. When he first heard that John Dunn was to be placed in his present position he entertained a doubt whether he was fit for the post. But he believed John Dunn had succeeded far better than could possibly have been expected. He had certainly made his part of the country far more prosperous than it ever was under the rule of Cetewayo. He doubted whether his noble Friend could give any evidence to show that Cetewayo's return was desired by more than a mere fraction of the people of Zululand. It was all very well, now that the events of four years ago had faded into the distance, to forget what the character of Cetewayo was. Could his noble Friend state that he would restore a man like Cetewayo in the interests of civilization and humanity? It was notorious that Cetewayo in his system was the imitator of two most bloodthirsty ruffians. His was an enormous and dangerous military system. Every man able to carry arms was enlisted and celibacy was enforced—none but the older soldiers being permitted to marry. Could anyone state a single act of good faith, truth, or justice proceeding from Cetewayo? He had replenished his exchequer from time to time by plunder. He was not reigning long, but during the time his Kingdom was drenched with blood. He began by the slaughter of his brothers, and then put to death women who had married against his orders, and finally he murdered those of his relatives who had disobeyed him by burying these women. When he came to the Crown Cetewayo promised to govern well, and yet, when Sir Theophilus Shepstone remonstrated with him for his misdeeds, he made the remarkable answer—"It is the custom of our nation, and I will not depart from it." No doubt he remained for all intents and purposes the same and unchanged. In the very latest Blue Book he was reported to have said—"I am at a loss to know why all this pain is caused; I have done no harm at all"—a speech that made it perfectly clear that he was totally unconscious of having sinned against either the moral law or the principles of civilization. In that case he would still be a curse to his own nation and a danger to his neighbours. It was most singular that Bishop Colenso should have made in Cetewayo's name, but without his authority, statements which Sir Henry Bulwer declared to be of the most dangerous character. If those who knew the difficulty of managing Native tribes committed such indiscretions, he could not but forebode trouble and disaster in Zululand.

EARL GRANVILLE said, that the point of the noble Earl's speech consisted in his objection to the proposed visit of Cetewayo to this country; but he held that those objections were outweighed by the arguments of his noble Friend the Secretary of State for the Colonies. The noble Earl who had just spoken seemed to be afraid that when he came here the ex-King would have his head turned. He could not help thinking that perhaps the best remedy against that formidable evil would be to bring Cetewayo down to the House of Lords and get the noble Earl (the Earl of Carnarvon) to repeat his speech. No one, probably, thought that Cetewayo could be described as a perfect Christian gentleman; but he could not help thinking that in several respects the dark side of his character had been exaggerated; but there was no doubt that he was a person of very influential character and of great force of mind, as he had shown both in the plenitude of his power and in his misfortunes, when his people, instead of reviling him as a tyrant, clung to him to the last. The noble Earl opposite mentioned that there was a difficulty with respect to the other Chiefs; but the House would not suppose that the Government had taken the steps they had without being fully aware of their responsibility. He did not think it necessary to go into the other points raised by the noble Earl, because the evils referred to were fully apparent in the Correspondence which had been laid on the Table.

EARL CAIRNS said, that it was very desirable to know how Cetewayo was to be treated during his stay in this country. The noble Earl opposite said that he would submit to the orders of the Government, and so far that was very satisfactory; but what was the noble Earl's meaning when he described Cetewayo as a prisoner of war, when at this moment no war was going on? Was Cetewayo to be a prisoner of war for life; and, if not, what authority could the noble Earl have for detaining him as a prisoner of war?

LORD CHELMSFORD said, that, speaking with a knowledge of the country, he did not know upon what authority the Secretary of State for the Colonies stated the present condition of Zululand could not be maintained. That view was not to be discovered in the despatches of Sir Henry Bulwer, which, on the contrary, set forth that the accounts of bloodshed in the country were greatly exaggerated. He believed, indeed, that, annexation being forbidden, Sir Garnet Wolseley's settlement was the only possible one under existing conditions. He was satisfied that the tranquillity of Zululand would not continue if Cetewayo got back there again. For himself, he had never concealed his opinion that annexation would have been the right course to pursue. It would have been an act of kindness to the Zulus, and it would have afforded greater safety to the Colony of Natal; but, if that could not be done, we had no choice but to avoid the danger of permitting one man to be supreme over the whole country. There seemed to be some misconception as to the early history of Cetewayo. An account of Cetewayo before these troubles occurred was to be found in George M'Call Theal's *History of South Africa.* It was there stated that Cetewayo's father, King Panda, was a mere *roi fainéant*, and that he himself was the real Ruler during his father's lifetime. No sooner did Cetewayo obtain a certain amount of power than he got rid of all probable claimants to the Throne by killing them. For some years, however, after Panda became King the country was in a state of great commotion, and it was not till 1856 that a battle was fought in which Cetewayo triumphed over all his rivals. So sanguinary a conflict was that, that nearly one-fourth of the whole Zulu nation perished. From that time Cetewayo began to consolidate his power. Out of the 33 regiments which opposed us during the late war, 26 were practically raised by Cetewayo himself. In his (Lord Chelmsford's) opinion, Cetewayo, if released, would again become a military despot, and would be again a standing menace to the safety and tranquillity of South Africa.

THE EARL OF BELMORE said, that he regretted to notice that there was a tendency in the speech of the noble Earl (the Earl of Kimberley) to minimize the position of a Governor of a Colony. He thought that it was desirable that nothing should be said calculated to sink the Governor of a Colony from the position of representative of the Queen to that of a mere diplomatic agent.

SUPREME COURT OF JUDICATURE AMENDMENT BILL.—(No. 167.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

EARL CAIRNS said, that this Bill provided that the Judges of the Court of First Instance should be able to sit in the Court of Appeal. This system had been tried before, and had not been found to work satisfactorily. There were some other matters which could have been better dealt with than was proposed by the Bill. The most important point to which he wished to call attention was with regard to the Court of Appeal. The plan proposed by the Bill was to supplement the Court of Appeal as occasion might require by asking one of the primary Judges to sit in it. When the arrangements were originally made it was not known what amount of business would have to be transacted by the Court of Appeal. Now, however, that was well known. The Court of Appeal, consisting of six ordinary Judges, usually sat in two divisions, and there was sufficient appellate business to keep both those divisions fully employed during the whole of the judicial year. If either division had to curtail its sittings public business suffered. Some of the Judges of the Appeal Court had to go Circuit, and the result was that for a long period in each legal year one division of the Court of Appeal had to be closed. Great inconvenience was occasioned by the Appeal Judges going Circuit in many other ways than the suspension of the sittings of one division of the Appellate Court. If the obligation to go Circuit were abolished, there would be less difficulty in obtaining the strongest and best men at the Bar as Appeal Judges. There was great danger of the arrangements made by Parliament for the conduct of legal business breaking down by reason of the false economy practised with regard to the Judges. Only the other day he noticed an important libel case was partly tried in London. It raised issues of the highest importance to the character of individuals; but in consequence of the Judge before whom it was partly tried having to go Circuit the case was adjourned from June to November. It was a public scandal that such a delay of justice should occur, and it happened solely because the Government would not incur the expense of providing a Commissioner to go Circuit in place of the Judge. In the same manner the Court of Appeal was likely to fall into disrepute solely from making the Judges of the Court go Circuit.

LORD COLERIDGE said, the amount of patronage vested in the hands of himself and the Master of the Rolls was no doubt large if they went by numbers; but a great deal of it was merely the patronage of offices which were so extremely slenderly remunerated that it was extremely difficult to get educated gentlemen to stand an examination for them. The Civil Service Commissioners had relieved him of certainly more than half the patronage which the Act of 1879 vested in him. He wished their Lordships to be aware that, so far as he and the Master of the Rolls were concerned, the actual amount of patronage of their disposal was nothing at all. There had been a reduction in the number of the higher offices, and it was extremely unlikely that one of his age or that the Master of the Rolls would be called upon to exercise their office of patron in regard to any of the remaining offices of the higher rank. Personally, therefore, his interest in this matter of patronage was most infinitesimal. With regard to the Chamber work of Judges, he had to take his share. It was not pleasant work, but he was quite certain that he was a far better Judge in Chambers now than when he first began to act as a Judge sitting in Chambers, because he now knew how the work was done. He was satisfied that nothing could be worse for the general administration of the law than that some of the Judges should neither know nor do anything of Chamber work. With regard to the Court of Appeal, he ventured to say that it was at this moment doing its work admirably, that it gave general satisfaction to the Profession, and that Judges of that Court did their work much better in consequence of their having to go on Circuit. He thought it would be a bad thing to draw a broad division between the Judges of First Instance and the Judges of Appeal, and to make the post of a Judge of First Instance less desirable to the Bar than at the present time. Less desirable it would certainly become if the line of demarcation between the one class of Judges and the other were widened. He, therefore, held that it would be unwise to exempt the Lords of Appeal from liability to go Circuit, and he trusted that the present system would be continued. In conclusion, he had to say that to the best of his belief there was at the present moment not one appeal which was more than three months old before the Court.

THE LORD CHANCELLOR, after explaining how the Bill would affect the precedence of certain Judges of the Court of Appeal, said, that the proposals which were made would not introduce an element of constant strength into the Court of Appeal, but would provide for emergencies, such as the illness of individual members of the Court. He thought it a little hard that he should be called upon by the noble and learned Earl on his left to undertake the responsibility of altering the arrangements made by that noble and learned Earl himself. When the Judicature Act of 1873 was passed he (the Lord Chancellor) proposed a scheme, which he thought adequate to provide for the whole appeal business of the country, founded on the principle that there should be a newly-constituted Court, embracing all the highest judicial power in the country, and capable of sitting in several sub-divisions concurrently. Their Lordships, at the time, concurred with the other House in agreeing to that proposal. If that measure had been allowed to remain as it was passed none of the difficulties since experienced would have been felt, and none of the shifts and devices that had been resorted to would have been found necessary to provide for an efficient Court of Appeal. It was through no fault of his noble and learned Friend, but in consequence of an opposition in that House, headed by the noble Earl the Chairman of Committees, and also in the other House, that Parliament thought fit to change its view and to return to the system of double appeal — first, to a Court specially constituted for the purpose, and afterwards to that House. The scheme provided by the Act of 1873 never came into operation. Instead of it, Parliament established first the appellate system of 1875, and afterwards that of 1876. He, as an individual Member of their Lordships' House, acquiesced, as in duty bound, in the decision of the Legislature, and he gave a pledge, which he had fulfilled, not to attempt hastily to reverse once more that decision. Frequent and constant changes in these things were very much to be deprecated. Long experience might force upon the Legislature the reconsideration of all such arrangements; but he was strongly of opinion that, having made them, it was best to work with them, at least for so considerable a time as to enable their permanent operation to be ascertained. He did not question in the slightest degree either the right or the duty of his noble and learned Friend, if he thought the system had been tried long enough and had not been successful, to urge its reconsideration. But it was a fact, that it was by his noble and learned Friend and the Government of which he was a Member that this system was established in 1876; and the speech of the Lord Chief Justice must have satisfied their Lordships that if unanimity of judgment in high quarters was desirable before the system was altered, that unanimity did not now exist. His noble and learned Friend thought that the advantages of the system which required the Judges of Appeal to go on Circuit preponderated over the disadvantages in the circumstances in which they were placed. He thought the arguments on both sides had considerable weight; but when there was such a difference of opinion on the subject, and when in the view of the head of the Court dissatisfaction would be produced by the change which the noble and learned Earl suggested in the minds of the Judges of First Instance, especially because of the pecuniary burdens cast upon them, and inasmuch as in all cases of pecuniary burdens the Treasury must be dealt with as well as the heads of the law, he was not prepared, after the system had been in operation only six years, to propose a change. Therefore, they must go on working for some time to come with the present system. According to the Lord Chief Justice, there were really no considerable arrears in the Court of Appeal; the cases had not been set down for more than three months. He was happy to assure his noble and learned Friend that no difficulty in inducing men eminent at the Bar to take seats in the Court of Appeal had hitherto been experienced. The only persons who might probably have been appointed to that Court, if they had desired it, and who did not now sit there, were those Law Officers of the Crown who in any circumstances would not be likely to desire judicial promotion until they had served their country for a considerable time in the offices they now filled. That the Law Officers of the Crown had not desired to receive judicial appointments did not appear to him to show that there was any disinclination from the cause his noble and learned Friend supposed; and, as to all other persons, he could say with the most perfect accuracy that since he held Office there had not been a single instance of these appointments being declined by anyone to whom they had been offered.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

THE IRISH LAND COMMISSION—THE APPELLATE COURT.

OBSERVATIONS. QUESTION.

THE EARL OF LONGFORD, in calling attention to Sections 44, 47, and 48 of the Land Law (Ireland) Act, 1881, and in asking Her Majesty's Government how appellants were to proceed to secure the attendance of three Commissioners to hear appeals, said, that cases had been heard on appeal in Londonderry and other places before only two Judges of the Land Court—Mr. Justice O'Hagan and Mr. Litton, Mr. Vernon being left in Dublin to attend to business there. In one case the counsel for the appellant asked that the three Judges should be present; but Mr. Justice O'Hagan said it was impossible for all to be present, and that there was a discretion given to them by the Act to sit with two Judges. This was a very important question. When the Court was established it was considered most desirable that one Judge should know something of the value of land, and hence Mr. Vernon was appointed; but according to what had taken place in the country he might not be required to sit at all on appeals. The Act gave appellants the right to have their cases heard by three Commissioners, and his complaint was that the Commissioners placed too liberal a construction on the proviso made as to the "unavoidable" absence of one of their number. It was now the rule rather than the exception for the Court to consist of two Commissioners instead of three, and the result was that some of the decisions lately given had failed to satisfy the litigants. Another cause of dissatisfaction was the disregard of the opinion of the "independent valuer," to whom the Commission were authorized by the Act to refer for a statement of facts and circumstances to enable the Commission to form a judgment. He would mention one case. The rental of an estate in the North of Ireland, which was £726, was reduced by the Sub-Commissioners to £562. On appeal the Commissioners appointed an independent valuer, who estimated £675 as the fair and proper rental for the estate. The two legal Commissioners in the absence of the agrarian Commissioner ignored this valuation, and further reduced the rental to £553. In a second case, the rental was £470, reduced by Sub-Commissioners to £352. The independent valuer's report put it at £466; but the Commission, on appeal, fixed £368. That brought him to his Question. How were these appellants to secure the services of the three Commissioners to which they were entitled under the Act?

LORD CARLINGFORD (LORD PRIVY SEAL) said, that, as to the cases which had been referred to, he could not form any opinion about them without knowing all the circumstances. He would give the information with which he had been furnished by the Commissioners. They said that the greater portion of the appeals were heard by the three, but in the country towns some appeals had latterly been heard by two of their number, and this was done under the powers of the Act of 1881. The cause of Mr. Vernon's absence was very urgent business of the Land Court to be transacted in Dublin, and this brought the question within the 42nd section of "unavoidable absence." He was inclined to agree that there would be an objection if all these appeals were heard by the two legal members of the Land Court, and without the presence of the Commissioner who was not a lawyer. The explanation, however, was that which he had just given to the House, and the Commissioners believed that they had acted within the terms of the Act.

THE MARQUESS OF WATERFORD said, the explanation given by the Lord Privy Seal was most unsatisfactory.

LORD CARLINGFORD (LORD PRIVY SEAL) said, he had no other to offer.

THE MARQUESS OF WATERFORD said, the Act of 1881 had been entirely altered.

LORD CARLINGFORD (LORD PRIVY SEAL): In the view of the Commissioners they were within the terms of the Act.

THE MARQUESS OF WATERFORD said, that they were told in both Houses of Parliament, when the Act was passed, that all appeals would be heard by three Commissioners. In many cases the Act had been altered. It was a most extraordinary thing that the two legal Commissioners should sit in the country and leave the only Commissioner in Dublin who knew anything about the valuation of land. The question should be tried whether the two legal Commissioners had a right to go into the country and try appeals upon the question of the value of land, and leave the lay Commissioner in Dublin to transact the legal business. He hoped that his noble Friend would raise the question again.

House adjourned at a quarter past
Seven o'clock, till To-morrow
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 3rd July, 1882.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Bombay Civil Fund [Revenues of India] *.

Select Committee—Report—Settled Land [No. 262].

Committee—Prevention of Crime (Ireland) [157]—R.P. [*Twenty-third Night*].

Committee — Report — Metropolitan Board of Works (Money) [176]; Bills of Exchange [211].

Third Reading—Petty Sessions (Ireland) * [203]; Public Health (Fruit-Pickers' Lodgings) * [214], and *passed*.

QUESTIONS.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. JOHN DALY.

MR. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there is any special reason for the further detention of Mr. John Daly, Ballyfarnon, county Roscommon, at present a suspect in Enniskillen, seeing that the district is peaceable, and that another man arrested at same time and on same charge has been released?

MR. TREVELYAN: Sir, John Daly is detained on reasonable suspicion of being guilty as principal of murder. His Excellency, having recently considered his case, decided that he could not order his release.

AGRICULTURAL PRODUCE (STATISTICS)—IMPORTS.

MR. R. H. PAGET asked the President of the Board of Trade, Whether he can arrange for the weekly publication in the "London Gazette," of a classified Return of the various articles of agricultural produce imported into this Country, such Return to afford information generally similar to that now given weekly in the Gazette with respect to importations of cotton and corn?

Mr. CHAMBERLAIN: Sir, I have been in communication with the Customs on this subject, and I hope to be able to arrange in a short time for the publication weekly, as desired by the hon. Member, of a classified Return of the various articles of agricultural produce imported into this country. Before the classification is definitely settled I will direct a list of the articles proposed to be included to be forwarded to the hon. Member, and shall be glad to receive his observations upon it.

Mr. R. H. PAGET asked the right hon. Gentleman, whether he would give directions that a distinction should be drawn at the Custom House between genuine produce and spurious produce?

Mr. CHAMBERLAIN: The question of distinguishing butterine and artificial butter generally from butter in the import statistics has been referred, with other questions of a similar character, to the Statistical Inquiry Committee now sitting. The Committee has not yet reported, and I have not seen the evidence taken; but I hope it may be found possible to make the distinction desired by the hon. Member.

PUBLIC HEALTH (METROPOLIS)—SMALL-POX.

Mr. J. G. TALBOT asked the President of the Local Government Board, Whether he has been able to ascertain the truth as to the small-pox patient, who is alleged to have gone from Guy's Hospital to the Stockwell Hospital on a public conveyance; and, whether, with the view of preventing the spread of disease, he will endeavour to arrange that the authorities of the various Metropolitan Hospitals shall have ready access to the ambulances provided by the Metropolitan Asylums Board, or by the parochial authorities, for the purpose of conveying infectious persons to the hospitals appointed for their reception?

Mr. DODSON: Sir, I have now ascertained that the person referred to came to Guy's Hospital among the crowd of out-patients who resort there, and was found to be suffering from small-pox, and that he was advised to leave and apply for admission to a small-pox hospital through the intervention of the parish authorities, and without exposing himself unnecessarily so as to endanger others. The going to the Stockwell Hospital by a public conveyance appears to have been entirely the man's own act, for which the medical officer at Guy's was in no sense responsible. It is evident that the governing bodies of the London hospitals have at present much difficulty in dealing with these cases when they present themselves, as they have no accommodation for them; and I have now under consideration the arrangements which should be adopted for the temporary retention of patients of this class until they can be removed, and for rendering the ambulances of the managers of the Asylums District and the parochial authorities more readily available for their removal.

LAW AND POLICE (IRELAND)—MAJOR BRADDELL.

Sir JOHN HAY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether ten police were quartered at Coolenelagh, county Wexford, for the protection of Major Thomas Braddell's property last September; whether a mob came and carried off the crop against the remonstrances of the police and sold for £84 for the benefit of the Land League; whether the police were instructed from Dublin not to resist the robbery for fear of a collision; and, whether, under the circumstances, the Government will pay Major T. Braddell for his loss?

Mr. TREVELYAN: Sir, the facts are stated with substantial accuracy in the Question. The Government has no intention of paying anything to Major Braddell for the crops in question. It was more than doubtful whether he was entitled to them, and it was not considered right to prevent their removal. I may observe that in the Court of Appeal in Ireland, in a similar case, two Judges held that, under the 8th section of the Act of 1870, the evicted tenant continues entitled to the crops. Therefore the Government cannot undertake to pay for the loss.

Mr. HEALY: I wish to state that the crops were not sold for the benefit of the Land League.

TELEGRAPH CABLES — PROPOSED INTERNATIONAL CONFERENCE.

Mr. MONK asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has taken any steps, in concert with other Nations, with a view to the protection and preservation of telegraph cables; and, whether it is proposed to send a representative from this Country to the Conference of European Maritime Countries to be held in the Autumn?

Sir CHARLES W. DILKE: Sir, Her Majesty's Government accepted an invitation from the French Government to take part in a Conference on this subject, which was to have met at Paris on the 1st of last month. The French Government, however, postponed its meeting until the autumn. Her Majesty's Government are of opinion that advantage might be taken of this delay to settle beforehand the scope of the labours of the Conference. They are at present in communication with the French and other Governments concerned, and if an understanding is arrived at on this point they will be represented at the Conference.

BOARD OF NATIONAL EDUCATION (IRELAND) — NATIONAL SCHOOL TEACHERS AT BOHOLA, CO. MAYO.

Mr. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that certain teachers of a new national school at Bohola, county Mayo, have suffered the loss of three or four months' salary in consequence of the requisite forms not having been forwarded in due time to the manager of the school to enable him to return them filled up as required for a certificated school?

Mr. TREVELYAN: Sir, the teachers have suffered loss owing to the fact that certain forms which were transmitted to the manager of the school on the 13th of January, 1882, by the Board of National Education, were not returned to that Board until the 27th of March following—that is to say, they were retained by the manager for two months and 14 days. Had they been returned any time before the end of January, the loss would not have occurred.

FISHERIES (IRELAND)—THE SEA COAST FISHERIES TRUST—LOANS TO FISHERMEN IN MAYO.

Mr. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that the Trustees to aid Sea Coast Fisheries in Ireland declined recently to make a loan to certain fishermen in the county of Mayo, because they had not paid their rents, although the Trustees had received reports that the applicants for the loan were respectable men, and the securities proposed for the repayment were perfectly solvent?

Mr. TREVELYAN: I have asked for a Report on this question, but have not yet received it.

METROPOLIS—THE THAMES EMBANKMENT OPERA HOUSE.

Mr. LABOUCHERE asked the Chairman of the Metropolitan Board of Works, What steps are being taken to secure the completion of the building on the Thames Embankment which was originally let for an Opera House?

Sir JAMES M'GAREL-HOGG: I beg to inform the hon. Member that the site originally intended for an opera house was let, upwards of a year ago, for the erection of an hotel, private dwelling-houses, or such public buildings as the Metropolitan Board might approve. Requests for extension of time for sending in plans have been made more than once and complied with by the Board, and a further application has been made this morning, which is now under consideration.

STRAITS SETTLEMENTS — PORT REGULATIONS AT SINGAPORE—THE SPANISH STEAMER "LEON XIII."

Dr. CAMERON asked the Under Secretary of State for the Colonies, Whether Foreign vessels calling at Singapore are under any legal obligation to comply with any formalities analogous to "clearance," or to give notice to or obtain the permission of any official of the port before departing; if so, whether he would state what the prescribed formalities are, and what penalty or liability attaches to their neglect; and, whether the Spanish steamer "Leon XIII." which carried off three English engineers, ordered by the Supreme Court of the Colony to be surrendered under writ of habeas corpus, had complied with all formalities prescribed?

MR. EVELYN ASHLEY: Sir, Singapore is a free port, and we have no reason to doubt that any necessary formalities were complied with by the Spanish steamer *Leon XIII.* The action of the Court gave the authorities no ground for detaining the vessel, as the process issued was not against the ship, but against the captain, who was left behind when she sailed.

DR. CAMERON asked the Secretary to the Admiralty, Whether the visit of Her Majesty's gunboat "Swift" to Manila was not directly connected with the manner in which the "Leon XIII." left Singapore, forcibly carrying off three English Engineers, who were under the jurisdiction of the Colonial Courts?

MR. CAMPBELL-BANNERMAN: Yes, Sir; it is the case that the gunboat *Swift* proceeded to Manilla in consequence of a telegram from the Governor at Singapore to the effect that the *Leon XIII.* had left for Manilla with three British engineers on board, who were alleged to be illegally confined. The British Consul at Manilla, however, was able at once to arrange the difficulty with the Spanish authorities, and the *Swift* left. I may add that there was nothing unusual in the presence of a vessel of the China Squadron at Manilla, as frequent visits are paid to that port.

PEACE PRESERVATION (IRELAND) ACT, 1881—EDWARD AND DANIEL FLANAGAN.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether two brothers, named Edward and Daniel Flanagan, of Rathclooney, county Clare, were convicted at the last Cork Winter Assizes, of firing into a dwelling-house, and sentenced to penal servitude; whether the only witness who identified the prisoners was one Michael Molloy, a farm servant, a youth of seventeen, upon whose testimony, according to the charge of the learned judge who tried the case (Mr. Justice Fitzgerald), the case against the prisoners rested; whether the witness Molloy, after the Winter Assizes, was accommodated for some weeks in the police barrack at Ennis, and, while there, stole a watch belonging to a constable, and exchanged it for another at a pawnbroker's; whether, after the police authorities had become aware of this act of theft, they sent Molloy in charge of a constable to Gravesend, and shipped him to Australia, at the public cost; and whether Molloy, while in company with the constable in London, stole from a restaurant a gold-headed cane, which the constable, on discovering the theft, compelled him to return; whether the Government, having lately set at liberty one of the brothers condemned to penal servitude on the evidence of Molloy, will now release the other; and, why the Government, instead of sending Molloy to Australia at the public cost, did not have him committed to stand his trial for perjury and theft?

MR. TREVELYAN: Sir, the earlier part of this Question was answered on a previous occasion by my right hon. and learned Friend the Attorney General for Ireland. The part of it which is new I would answer thus:—The constable who was with Molloy in London is in a distant part of the country, and no answer has as yet been received to the inquiry about the gold-headed cane. One of the brothers was recently released on ticket-of-leave, solely on grounds of ill-health, the doctor having reported his life to be in imminent danger from further confinement.

LAW AND JUSTICE (IRELAND)—JOHN M'CORMACK.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether John M'Cormack, committed from the Petty Sessions of Coolaney, county Sligo, to stand his trial on the charges of mutilating a heifer, the property of his employer, and writing threatening letters to his employer and to himself, will be put forward for trial on those charges at the forthcoming Sligo Assizes; whether the sworn evidence of the said John M'Cormack against two young men named Healy and Cowley, whom he accused of stealing a pistol from him, having been discredited and rejected by the magistrates before whom the charge was brought, M'Cormack will be prosecuted for perjury; and, whether, if so, this charge will be brought forward at the forthcoming assizes?

MR. TREVELYAN: Sir, John M'Cormack has been returned for trial at the next Sligo Assizes, on the charges of maiming cattle and writing threatening letters to his employer and himself, bail being refused. His evidence against two men, whom he charged with stealing a pistol from him, was rejected by the magistrates; but I am informed that there is no prosecution for perjury pending against him.

THE IRISH LAND COMMISSION—"OWEN *v.* DAY."

Mr. FITZ-PATRICK asked Mr. Attorney General for Ireland, Whether he is acquainted with the Land case of Owen v. Day, heard by the Assistant Commissioners at Abbeyleise, on the 19th December 1881, and the appeal, which was heard by the Chief Commissioners on the 22nd March 1882; whether he is aware that, in this case, the Chief Commissioners departed from the usual rules, which, according to the statement of Mr. Justice O'Hagan, in his evidence before the Select Committee of the House of Lords on the working of the Land Act, was always adhered to, of requiring an evicted tenant, who had applied for an extension of time during which to sell his interest in his tenancy, to lodge in court a considerable portion of the rent due by him to his landlord; whether it is a fact that, on appeal, the rent of the holding, which had been fixed by the Assistant Commissioners at £80, was raised to £100, whereupon the tenant, being dissatisfied, left the premises, leaving a sum of £240 due for rent, a considerable portion of which would have been secured to the landlady had the Chief Commissioners granted the usual order; and, whether, under these circumstances, he is prepared to advise that compensation be granted to Mrs. Owen for the loss thus sustained by her?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, I have inquired into the circumstances of the case to which the hon. Member's Question refers, and have ascertained that the tenant was evicted for non-payment of rent, and had the ordinary time to redeem—namely, six months from the eviction. During that time the Sub-Commission fixed the judicial yearly rent at £80. From this decision the landlady appealed, and as the time for redemption, with a view to a sale by the tenant of his interest, would have expired in ordinary course before the appeal could have been heard, an extension of time to sell was rendered necessary by the fact of the appeal. The result of the appeal was that the judicial rent fixed by the Sub-Commission was raised to the yearly judicial rent of £100. Nothing is known in the Land Commission of the subsequent proceedings of the tenant. Under these circumstances, I am not prepared to advise any grant of compensation.

IRELAND—COLLECTOR OF COUNTY CESS, LONGFORD.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the fact that, previous to the last Spring Assizes in the county of Longford, a candidate offered himself as collector of county cess for the barony of Moydow, and proposed to collect the cess at 8*d.* in the pound remuneration, while another candidate tendered at 1*s.* in the pound remuneration; whether the latter candidate was appointed by the vote of a great majority of the grand jury, only three grand jurors voting for the candidate who tendered at 8*d.* in the pound; whether it is the fact that the sureties of the rejected candidate were not objected to by anyone, and that he had proposed to pay into the bank, or lodge to the credit of the county treasurer, the full amount of the collection; and, whether he has received any information as to the reason for this action on the part of the grand jury?

Mr. TREVELYAN: Sir, all matters connected with the appointment of barony cess collectors rest exclusively with the Grand Jury of the county, who transmit no information on the subject to the Government.

THE CHANNEL TUNNEL SCHEME—THE CORRESPONDENCE.

Sir EDWARD WATKIN asked the President of the Board of Trade, If he will lay upon the Table, and print and circulate, all Correspondence which has taken place with himself, or with officials of the Board of Trade, in reference to the experimental works for the Channel Tunnel, beginning with his note of 25th March last?

Mr. CHAMBERLAIN: Sir, all the material Correspondence between the hon. Member, as Chairman of the Submarine Continental Railway Company, and the Board of Trade with reference to the Channel Tunnel experimental works, will shortly be laid upon the Table of the House, together with the other official Papers and Correspondence bearing on the subject. So far as the Board of Trade is concerned, the Correspondence will commence prior to March 25, as some letters which may prove of interest passed before that date. The letter of March 25 referred to by the hon. Member was an unofficial note in reply to a personal invitation to visit the Tunnel—I did not keep a copy of it—and as it does not appear to have any bearing on the questions at issue, or to affect the demand of the Board of Trade for an official inspection by their engineer and solicitor, I should not purpose to include it in the Papers to be laid on the Table of the House.

EGYPT (DIPLOMACY, &c.)—THE DUAL NOTE.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether the object of Her Majesty's Government in signing the joint Note to the agents of England and France in Egypt, which stated that the two Governments—

> "Are closely associated in the resolution to avert by their common efforts all the internal or external causes of complication which might menace the régime established in Egypt,'

and that the dangers which the Government of the Khedive might have to fear would "certainly find France and England united to face them," was only, as stated in the Despatch from M. Challemel-Lacour of the 17th January last (No. 44 of the French Yellow Book), to give M. Gambetta "a proof of the desire of Her Majesty's Government to show itself in accord with France?"

Sir CHARLES W. DILKE: No, Sir.

THE ROYAL IRISH CONSTABULARY—APPOINTMENT OF DEPUTY INSPECTOR GENERAL.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, With reference to a statement in the "Times" of this morning, whether it is the intention of Government to fill up the vacancy created in the office of Deputy Inspector General of Constabulary by the promotion of Colonel Bruce to be Inspector General; and, if so, whether, considering that the great majority of the force are Roman Catholics, he will appoint a Roman Catholic to the post?

Mr. TREVELYAN: Sir, the Government have not yet come to any definite conclusion upon this matter.

SUGAR—FRANCE AND BELGIUM—FOREIGN BOUNTIES.

Mr. RITCHIE asked the Under Secretary of State for Foreign Affairs, Whether any changes have taken place recently in the Sugar Laws of France and Belgium, in consequence of the Treaty of the 31st October 1881 between those Countries, in which it was provided that drawbacks on exportation were to be an exact representation of the Duties of Excise; whether, in any Treaty that may be negotiated by Great Britain with Belgium, or any other Continental sugar producing Country, Her Majesty's Government will stipulate for similar provisions; and, whether, as the Treaty with France of the 28th February 1882 gives to the United Kingdom the benefit of every favour, immunity, or privilege, in matters of commerce or industry, which France may grant to any third Nation, Her Majesty's Government would, having in view the Treaty of October 31st 1881, between France and Belgium, regard the export under bounty of sugar from France to the United Kingdom a breach of the Most Favoured Nation Clause in the Treaty of 28th February?

Sir CHARLES W. DILKE: Sir, no report has been received of any change of this nature in the Sugar Laws of France or Belgium, but at the request of the Board of Trade inquiry has already been made. In the event of the negotiation of Treaties such as those referred to by the hon. Member, the subject of bounties will receive attention. The third point in the hon. Member's Question has been brought before Her Majesty's Government in a recent communication from the West India Committee to the Board of Trade, and is now under consideration.

EGYPT (DIPLOMACY, &c.)—THE CONSULATE—THE RECENT MASSACRE AT ALEXANDRIA, &c.

LORD EUSTACE CECIL asked the Under Secretary of State for Foreign Affairs, What arrangements have been made to carry on the business of the Consulate at Alexandria, Cairo, and Suez in consequence of the continued absence on sick leave of Sir E. Malet, and the resignation of Mr. Calvert?

SIR CHARLES W. DILKE: Mr. Cartwright, of the Foreign Office, is the acting Agent and Consul General in the absence of Sir Edward Malet. Consul West arrived at Alexandria from Suez on the 29th ult. to act as Consul at Alexandria pending the arrival of Consul Wrench from Constantinople. Vice Consul Faulkner is left in charge of the Consulate at Suez. Consul Wrench will be at Alexandria on the 8th instant, should his health allow him to leave Constantinople; should it not, another gentleman will be immediately sent out from England. Consul Mieville has left for Alexandria to act as Vice Consul in the place of Mr. Calvert. Vice Consul Borg is in charge at Cairo, and Mr. Beaman is with him.

MR. CAINE asked the Under Secretary of State for Foreign Affairs, Whether any French subjects were killed in the recent massacre at Alexandria?

SIR CHARLES W. DILKE: Sir, a supernumerary dragoman of the French Consulate was killed. It is reported that three other Frenchmen were killed, of whom two are rumoured to have belonged to the Fleet, and three protected French subjects.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether the Government has been informed that during the past eighteen months or two years upwards of 600 foreigners have been appointed to places of profit, whose annual value exceeds £200,000, in the Egyptian administration; and, how many of these appointments were made at the instance of the British representatives in Egypt?

SIR CHARLES W. DILKE: Lists of the foreigners in the service of the Egyptian Government, with the dates of their admission and the amounts of their salaries, are given in the Parliamentary Papers, Egypt, No. 4 and No. 6 of this year. For an answer to the second part of his Question I must refer the hon. Member to the reply I made to him on the 23rd ultimo.

MR. O'DONNELL asked, whether he was not right in saying that 600 foreigners had been appointed within the last two years?

SIR CHARLES W. DILKE: I have no information on the subject.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Why the British delegate has been forbidden to take part in the investigation into the late riots at Alexandria?

SIR CHARLES W. DILKE: Sir, the foreign agents at Alexandria had unanimously agreed on the 27th that an inquiry at the present moment is worse than useless, and that the Government should first show signs of its power for good by punishing those whom it knew and acknowledged to be guilty. Her Majesty's Government had already formed a similar opinion on the proposed inquiry, and had instructed the British Agent and Consular authorities to hold themselves aloof from it.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether the Government has taken into consideration the statement forwarded by Sir E. Malet to Lord Granville, that many European usurers are taking advantage of the distressed condition of the Egyptian population to obtain most exorbitant rates of interest for loans, some Greek money-lenders being mentioned as having extorted interest at thirty-six per cent for six months; whether it is a fact that two Greek money-lenders have recently been murdered by villagers near Cairo; and, whether Her Majesty's Government has issued any warning to British subjects to avoid usurious money-lending in the prevailing distress and excitement in Egypt?

SIR CHARLES W. DILKE: Sir, Mr. Cartwright reported on the 26th that 10 Greeks and three Jews were massacred on that day by an Arab mob at Benha, a town on the road to Cairo. We have no information as to their being money-lenders, and we have not issued any warning to British subjects in regard to money-lending.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, If he can explain why it is that without counting the Maltese, who are specially indicated, so many other foreign names are returned as "Anglais," and no less than ninety-four as "Protegé Anglais," while all other countries put together have not twenty-five protegés among them; and, whether it is consistent with the traditions of our Foreign Office to grant the protection of the British flag so freely to foreigners in foreign countries who are not Embassy or Consular servants?

Sir **CHARLES W. DILKE**: Sir, British protection is not granted at the present day so readily as that of other Powers; but the Foreign Office do not possess the information necessary to give a reply to my hon. Friend's Question with regard to the foreigners in the employ of the Egyptian Government. We shall, however, be glad to procure the particulars he desires; and Her Majesty's Agent in Egypt will be instructed to report upon the subject.

Sir **H. DRUMMOND WOLFF** asked the Under Secretary of State for Foreign Affairs, Whether any Despatch was addressed by Lord Granville to Lord Lyons, recording the conversation reported by M. Challemel-Lacour in Despatch No. 44, page 58 of the French Yellow Book on the Affairs of Egypt; and, if so, whether such recording Despatch can be laid upon the Table?

Sir **CHARLES W. DILKE**: Sir, I have already stated that there was such a despatch. It shall be laid upon the Table.

Mr. **O'KELLY** asked whether the Government would give an assurance that they would not attack Arabi Pasha without consulting Parliament?

[No reply was given to the Question.]

STATE OF IRELAND — POLICE PROTECTION FOR CARETAKERS— PATRICK CAHILL.

Mr. **LONG** asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the fact that police protection had been lately withdrawn from Patrick Cahill, a caretaker, on a Boycotted farm at Ashill, near Tralee, whose murder was reported in the journals of the 29th June?

Mr. **TREVELYAN**: Sir, the facts are these. On the 13th of June Patrick Cahill reported that he had been fired at by a person whom he swore at the time to be John Brosnan. Brosnan was arrested; but thereupon Cahill swore he was not the man. For several days after this two sub-constables were sent to be with Cahill wherever he went for his protection; but he resented this arrangement, and stated that if protection were forced on him he would leave his employment. The men were accordingly withdrawn; but patrols were frequently sent near his house at night without his knowledge. On the evening of the 27th of June he was shot dead on his way home from work. He possessed a revolver, for which the Resident Magistrate gave him a licence; but, so little does he appear to have apprehended danger, he did not carry it with him on the day of his murder.

VACCINATION — THE ALTERNATIVE METHODS — TRANSMISSION OF TUBERCLE FROM CALF LYMPH.

Mr. **HOPWOOD** asked the President of the Local Government Board, Whether the Board is prepared to advise the public which of the two modes of vaccination now in use is to be preferred, viz., the one with the matter derived from arm to arm, or the one with the lymph from the calf recently provided by the Department; and, whether it has been shown that tubercle may be transmitted by such lymph?

Mr. **DODSON**: Sir, the Board have every confidence, after their long experience, in vaccination from arm to arm; but they have not yet had experience on a large scale of vaccination direct from the calf. Both are believed to be equally trustworthy, but I am not prepared to advise my hon. and learned Friend or any other person which he should select. It is not within knowledge of the Board that tubercle has been transmitted by lymph from the calf.

ADULTERATION OF FOOD ACT—SUBSTITUTES FOR BUTTER.

Viscount **FOLKESTONE** asked the President of the Board of Trade, Whether he has, in accordance with his promise made last year with reference to the importation of butter substitutes, such as butterine, oleomargarine, &c., that he would—

> "At the earliest possible moment endeavour to devise means by which the classification may be altered, and the importation of these things kept separate in the Return,"

devised means by which this can be done; and, if means have been so devised, he will undertake to put such means into operation?

MR. CHAMBERLAIN, in reply, said, he had not lost sight of the question, but he could not settle it on his own authority alone without consulting other Departments.

CRIME AND OUTRAGE (IRELAND)—ALLEGED MUTILATION OF ANIMALS.

SIR CHARLES MILLS asked the Chief Secretary to the Lord Lieutenant of Ireland, If the following report of an outrage, in the "Times" of the 29th instant, is correct:—

> "At Ballynore, near Boyle, on Tuesday night, the tails of thirty heifers and eight bullocks, the property of a farmer named Anderson, were cut off, the animals being otherwise mutilated. The reason assigned for the committal of the outrage is that Anderson took a farm from which the tenant had been evicted. Graves were some time ago dug on his land, and notices posted up threatening him with death if he took the farm;"

and, if any person has been arrested on suspicion of having committed these offences?

MR. TREVELYAN: Sir, the matter has been much exaggerated in the newspapers. The facts are that some hair was cut off the tails of 20 head of cattle, the property of John Anderson. It was carefully cut, and the animals were not injured or mutilated in any way. Before Anderson had taken this farm, rough graves were marked out on it and notices posted warning persons not to take the house portion of the farm. Nobody has been arrested in connection with the matter.

CONVICT PRISONS (IRELAND)—APPOINTMENT OF INSPECTORS.

MR. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in accordance with the recommendations of Lord Kimberley's Commission, that independent outside inspectors should be appointed to the convict prisons of the Country generally, men of representative character and position were appointed in England by the then Home Secretary, Sir Richard Cross; whether outside visitors were subsequently appointed for the Irish prisons, the appointments only being for one year; whether these appointments have long since expired; and, if he would explain why they have never been renewed?

MR. TREVELYAN: Sir, the hon. Member is under a misapprehension; the appointments have not been suffered to lapse. The Visitors to the Irish Convict Prisons were first appointed for one year in September, 1880; and in October last the appointments were renewed for another year.

LAW AND POLICE—THE CENTRAL CRIMINAL COURT—ACCOMMODATION FOR WITNESSES.

MR. HINDE PALMER asked the Secretary of State for the Home Department, Whether he is aware of the want of proper accommodation for witnesses who are compelled to be in waiting at the Central Criminal Court; and, whether it is the duty of the Home Office and the Corporation of London, or one of them, to see that arrangements are made for the reasonable convenience of those who are bound to attend at the Central Criminal Court?

SIR WILLIAM HARCOURT: Sir, the Home Office has nothing to do with the matter. It belongs entirely to the Corporation of London. The Corporation, however, I am informed, are conscious of the inconvenience of the present state of things, and have made arrangements to alter it.

THE THAMES RIVER—THE ROYAL COMMISSION.

SIR JAMES M'GAREL-HOGG asked the Secretary of State for the Home Department, Whether his attention has been directed to the fact that Mr. Abernethy, C.E. and Dr. Williamson, F.R.S. two of the members appointed on the Royal Commission to inquire into the condition of the Thames, have already prejudged the questions to be submitted to the Commission, Mr. Abernethy having stated, on the 7th of December 1875, at a meeting of the Institution of Civil Engineers—

> "As Sir Joseph Bazalgette was present he wished to take the opportunity of expressing an opinion he had long formed, that the half measure of discharging the sewage of the Metropolis in the Thames at Crossness would eventually turn out a source of great pollution to the river;"

and further, having appeared before the Commission appointed to inquire into the presence of deposits in the Thames, arising from sewage at Crossness, as a witness to support his former expressed opinion as to pollution, and Dr. Williamson having expressed opinions to the same effect in reports to the Conservators of the Thames, stating that

> "The Metropolitan Board of Works have carried the nuisance a little further down the river,"

and—

> "That the decomposition of organic matter in these mud deposits (meaning mud deposits alleged to be deposited from sewage thrown into the Thames from the works of the Metropolitan Board of Works) keeps up a constant source of pollution of the river;"

and, whether, under these circumstances, the Government will reconsider the constitution of the Commission?

Mr. DODSON: Sir, when these two gentlemen were placed upon the Commission the Government were not aware that they had expressed any opinion upon the question; but even if they had been aware that such was the case it would not have altered their decision. The hon. Member must be well aware that the mere fact of having expressed an opinion is no disqualification for a Member of either branch of the Legislature acting on a Committee, or for such Member or any other person serving upon a Royal Commission. In the present case, the opinions quoted appear to have been expressed some years ago, and having regard to the professional eminence and the high character of the gentlemen referred to, the Government cannot for a moment suppose that they will fail to discharge the duty of a *quasi*-judicial position with complete impartiality.

EDUCATION DEPARTMENT—ELEMENTARY SCHOOL FEES.

Mr. E. W. HARCOURT asked the Vice President of the Council, Whether differential fees in Elementary Schools are sanctioned by the Education Department; and, whether it is within the power of the magistrates to decide judicially the amount of fees which ought to be paid for children in Elementary Schools, fixing them in just proportion to the means of the parents, and irrespectively of all other consideration?

Mr. MUNDELLA: Sir, the Education Department does sanction differential fees, and there is no objection to school fees varying in proportion to the means of the parents. The magistrates have no power to fix school fees. They can only decide when appealed to whether there is a reasonable excuse for a child's absence from school if the parents plead inability to pay the fee prescribed for him.

STATE OF IRELAND—POLICE PROTECTION FOR CARETAKERS.

Viscount FOLKESTONE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as stated in the "Times" of the 29th, that some time ago a change was made in the regulations of the Government in consequence of which police protection was withdrawn from caretakers, and they were told that they must take care of themselves?

Mr. TREVELYAN: The latest arrangement on the subject, which is now being acted on, is that which was communicated to the Emergency Committee and the Property Defence Association on the 3rd of May. That arrangement is that all applications for protection for caretakers shall be made directly to the County Inspector of Constabulary in the county in which the protection is required, and the nature and extent of the protection to be granted will thereupon be decided by the County Inspector in consultation with the Resident Magistrate. This arrangement was made with a view of avoiding all unnecessary delay in such cases where delay might prove a source of serious danger. I can assure the noble Lord that there is no ground for the apprehensions expressed in the Question.

CRIME (ENGLAND AND WALES)—ALLEGED MURDERS.

Mr. O'DONNELL asked the Secretary of State for the Home Department, Whether it is true that another corpse, apparently that of a man who had been murdered and flung into the water, has been discovered in the Thames near Horsleydown Stairs; whether it is true that deep stabs were found to have pierced the face and body; and, whether he intends to bring in any measure for the better detection and prevention of crime in England?

Sir WILLIAM HARCOURT: Sir, according to the information I have received, it does not appear probable that this was a case of murder. But as the inquest is sitting either to-day or tomorrow it would not be well, I think, for me to express an opinion on the subject.

MR. O'DONNELL said, he would repeat the Question in a week's time. Might he ask the right hon. and learned Gentleman whether it was true that a well-dressed woman was found yesterday morning with her face battered and blood streaming from her, and whether she was taken to the London Hospital, when it was found she had been stabbed, and where she died soon afterwards? Had the right hon. and learned Gentleman any reason to believe that this was a case of murder?

[No reply.]

POST OFFICE—THE PARCELS POST.

MR. MONK asked the Postmaster General, Whether the statement which appeared in the newspapers on Friday last respecting the parcels post was correct?

MR. FAWCETT: Sir, although the paragraph to which my hon. Friend refers is in the main correct, it may be well to explain the exact position in which the matter now stands. The proposed scheme does not, as stated, require to be sanctioned by the Treasury, the sanction of the Treasury having been obtained before the scheme was submitted to the Committee of Railway Managers, by whom it has been unanimously accepted. The decision of this Committee will, I understand, be submitted for confirmation to a meeting of the representatives of the Railway Companies on Wednesday next. The terms as to the proposed division of receipts, as well as weights and charges, are correctly given in the paragraph referred to. If an agreement is arrived at between the Railway Companies and the Post Office, it will be necessary to introduce a Bill, and I hope I shall shortly be able to give Notice of the introduction of this Bill.

MR. O'SULLIVAN asked if this arrangement extended to Irish railways?

MR. FAWCETT said, that the Irish Railway Companies had acted in conjunction with the English Railway Companies on this matter.

THE IRISH LAND COMMISSION—THE SUB-COMMISSIONERS—MR. WYLIE.

MR. BRODRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in view of the necessity of keeping judges free from all suspicion of bias towards former and future clients, the Government have communicated with Mr. Wylie as to his retention of the office of Sub-Commissioner in county Tyrone, the county from which a substantial part of his professional business came; and, whether the Government will take steps to remove this grave cause of alarm and criticism as to the judicial working of the Land Act?

MR. TREVELYAN: Sir, the hon. Member for Portarlington (Mr. Fitzpatrick) also has a Question on the Paper referring to this matter. I have received a letter from Mr. Litton, writing on behalf of the Commission, which is too long to read at Question time, though it sums up the views of the Commission in a clear and concise manner. I have already laid it upon the Table of the House, and it will be in hon. Members' hands very shortly.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—BERNARD BEIRNE.

SIR HERBERT MAXWELL asked the Chief Secretary to the Lord Lieutenant of Ireland, What was the name of the ex-suspect recently caught illegally drilling near Kilmore, county Roscommon; for what offence he was originally imprisoned; and, what course it is proposed to take with him?

MR. TREVELYAN: Sir, the name of the ex-suspect is Bernard Beirne. He was arrested on the 5th of November, 1881, under the Protection Act, on reasonable suspicion of intimidating others against payment of rent. He was released on the 2nd of May. He was brought before a magistrate on the charge of illegal drilling and was discharged by him.

POST OFFICE (IRELAND) — POSTMASTERS AND THE LAND LEAGUE —THE POSTMASTER AT MILFORD, CO. CORK.

SIR HERBERT MAXWELL asked the Postmaster General, Whether Mr. Matthew Murphy, of Milford, county Cork, has been appointed postmaster of that town since his release as a suspect; and, if so, whether such an appointment does not involve a departure from the recognised procedure of appointing to offices under the Government only persons of good character? In putting the Question, the hon. Baronet remarked that the Question had been answered by the Government once in the negative and once in the affirmative.

Mr. FAWCETT: Sir, I do not think that I have answered in a contradictory way. What I said was that I was making inquiries. My answer now is that as soon as the Land League was proclaimed to be illegal, I issued a notice to all persons in the service of the Post Office to say that they were forbidden either to continue or to become members of the League, and that if they did so they would be dismissed. Mr. Murphy was arrested just at the time this notice was issued. As there is no evidence that he was connected with the Land League after the notice was issued, and as he has given a promise in writing to have no connection with it in future, I thought it was only fair that he should be reinstated in the Post Office at Milford, which he formerly conducted satisfactorily.

LAW AND JUSTICE (IRELAND)—REVISION OF THE IRISH STATUTES.

Mr. FINDLATER asked Mr. Attorney General for Ireland, Since the Statute Law Revision (Ireland) Acts (41 and 42 Vic. c. 57, and 42 and 43 Vic. c. 24) were passed, so far back as the years 1878 and 1879, and the preamble of said Acts stated that they were passed with a view to the preparation of a revised edition of the Irish Statutes, whether any difficulty, and, if so, of what nature, has interposed to prevent, up to the present, the publication of such revised edition; and, whether immediate steps will now be taken to give effect to the provisions of the statutes referred to?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, before I can recommend the publication of an edition of the Irish Statutes as revised by the two Acts referred to in the Question of the hon. Member, I must satisfy myself that the revision is exhaustive. This I hope to do when the House rises, but the pressure on my time has, as hon. Members will recognize, absolutely prevented me from doing so earlier. This, Sir, is the only obstacle.

THE NEW COURTS OF JUSTICE—COMPLETION.

Mr. FIRTH asked the First Commissioner of Works, When the new Law Courts will be ready for occupation; why the unsightly scaffolding which now remains in front of finished parts of the building is not removed; and, why the clock-case has remained empty for four years?

Mr. SHAW LEFEVRE: Sir, the contractors will, I believe, be in a position to hand over the buildings to the Government in about a month; and the Courts will in every respect be fit for the occupation of the Judges at the commencement of the Michaelmas Term. Till the buildings are given up by the contractors, I have no power to remove the scaffolding. The clock, I hope, will be completed by the time it is wanted — namely, when the Courts are occupied.

IRISH CHURCH TEMPORALITIES FUND—THE ACCOUNTS.

Mr. W. H. SMITH asked the Secretary to the Treasury, By what authority the accounts of the Irish Church Temporalities Fund, which are required by the 37th section of c. 42, 32 and 33 Vic. to be prepared annually, in order to be transmitted to the Controllor and Auditor General within three months of the expiration of each year for audit and report, have been delayed?

Mr. COURTNEY: Sir, the change in the year of account was made by the Treasury at the instance of the Land Commission, who wished all their accounts to cover the same period. It might have been in stricter accordance with the Statute to have required the accounts to be rendered for a broken period of three months, instead of for 15 months, in making the transition; but it was thought this would be needless and troublesome formality.

ENDOWED SCHOOLS—THE DULWICH COLLEGE SCHEME.

Mr. GRANTHAM asked the Vice President of the Council of Education, Whether he can name a day on which an Address can be moved to Her Majesty on the subject of the Dulwich Scheme; and, if not, what steps he will take to enable the subject to be brought before the House during the period of forty days, at the expiration of which the scheme will become Law?

MR. MUNDELLA: Sir, the Dulwich Scheme was laid on the Table on the 1st of June, and the statutory period will not expire till the 31st of July. It is not incumbent on the Government to find an opportunity for discussing these schemes; and my hon. and learned Friend will not expect me, in the present state of Public Business, to ask the Prime Minister for special facilities for that purpose. I shall be very glad, however, to assist him, as far as I am able, to find an opportunity for bringing the scheme before the House. I have conferred with my hon. Friend the Member for Grantham (Mr. Roundell) and my hon. Friend the Member for the Tower Hamlets (Mr. Bryce), and they are willing to withdraw their opposition to his Motion, so that it may come on after half-past 12 o'clock on some night that may be mutually agreed upon. My hon. and learned Friend is aware that this scheme has occupied years of negotiation and deliberation to bring it to its present stage, and it would be a real calamity to the interests of education in the locality if a final settlement were not now arrived at.

EGYPT (POLITICAL AFFAIRS)—THE PAPERS.

SIR STAFFORD NORTHCOTE asked the Under Secretary of State for Foreign Affairs, When the Government expected to present the next Papers on Egyptian Affairs?

SIR CHARLES W. DILKE: Sir, I have laid the Papers on the Table to-day. They will be distributed to-morrow morning.

SIR STAFFORD NORTHCOTE: How far do they go?

SIR CHARLES W. DILKE: The Papers are brought down to the end of May.

MR. BROADHURST: Will the hon. Baronet see in future that all Papers in French are translated into English?

SIR CHARLES W. DILKE: The despatches are usually translated; but in the present instance there are one or two Memoranda in French, which were drawn up abroad, and which, being rather lengthy, have not been translated, as their translation would cause delay in the presentation of the Papers.

SIR STAFFORD NORTHCOTE asked the Under Secretary of State for Foreign Affairs, Whether his attention has been drawn to a letter addressed to the Editor of the "Times" by Mr. Wilfrid Scawen Blunt on Saturday July 1st; whether he will lay upon the Table Sir E. Malet's Despatch of the 24th December referred to in that letter, or any other Despatches or communications bearing upon Mr. Blunt's employment in any negotiations with the Chiefs of the Egyptian Army; and, whether he can state to the House the substance of the explanation which Mr. Blunt states that he was authorised on the 9th January to give of the Joint Note from the English and French Governments?

SIR CHARLES W. DILKE: Sir, the Papers relating to Mr. Blunt shall be laid before Parliament, and shall be prepared at once.

METROPOLIS—THE PARKS—THE PUBLIC OFFICES SITE BILL AND ST. JAMES'S PARK.

LORD ALGERNON PERCY asked the First Commissioner of Works, Whether, as it appears from Schedule No. 2 of the Public Sites Bill that it is proposed to appropriate a certain portion of St. James's Park, he can state whether any portion of the Park at present in the enjoyment of the public will be thus appropriated; what the exact extent of such portion will be; and, whether any land will be thrown into the Park to compensate the public for the amount of which they will thus be deprived?

MR. SHAW LEFEVRE: Sir, if the noble Lord will refer to the plan which I have placed in the Library, he will find that, if the extreme limits be adopted, a plot will be taken from the Park equal to somewhat less than half a pole. On the other hand, it is proposed to throw into the Park nearly half-an-acre. The Park, therefore, and the public will be gainers by the difference.

THE IRISH LAND COMMISSION—CONSTITUTION OF THE APPEAL COURT.

MR. GIBSON asked the First Lord of the Treasury, Whether his attention has been directed to the fact that the appeals to the Irish Land Commission have been almost systematically heard before two only of the Commissioners, whether the

Irish Land Act gives all suitors in the Land Court a right to have their cases

> "Re-heard by all three Commissioners sitting together, except in the case of the illness or unavoidable absence of any one Commissioner, when any such case may be heard by two Commissioners sitting together;"

and, whether, since it is of special importance that in the first year of the administration of the Land Act its appeals, which will settle and elucidate its principles and working, should be heard before the three Commissioners selected by the Government and approved by Parliament, the Government will take steps to have the clear requirements of the Land Act as to the hearing of appeals complied with, and to ensure that suitors shall not, save in exceptional cases, be deprived of their right to have their appeals heard before the three Commissioners?

MR. GLADSTONE: Sir, I am under the impression that the right hon. and learned Gentleman has not been quite accurately informed. As a matter of fact, I learn on inquiry that the greater proportion of appeals have been heard, not by two, but by three Commissioners. Recently, however, in consequence of the necessity of having one of the Commissioners in Dublin for the discharge of official business, it has been necessary to have appeals in country places heard by two Commissioners. The Commissioners believe, and the Government concur with them, that this is strictly in accordance with the law, and that when a Chief Commissioner is compelled by important business to be in Dublin, that is unavoidable absence under the section of the Act. But when appeals have been heard by two Commissioners, one of the two has invariably been the Judicial Commissioner.

THE CHANNEL TUNNEL SCHEME.

SIR EDWARD WATKIN asked the First Lord of the Treasury, Whether he received, under date 22nd June, certain resolutions from the gentlemen conducting the experimental works undertaken with a view to prove the possibility of connecting England and France by a tunnel, which resolutions it is understood were by him referred to the Secretary of State for War and the President of the Board of Trade; whether he can now state whether the further prosecution of the experiments, under such reasonable conditions as the Board of Trade may prescribe, will be allowed, or if it has been decided that the tunnel would "endanger national security;" and, whether he is now ready to reply definitely on the question?

MR. CHILDERS: Sir, the First Lord of the Treasury has asked me to answer this Question, and accordingly, in reply to my hon. Friend's last Question, I have to repeat what I have several times stated within the last few weeks—namely, that the Report of the Scientific Committee on the Channel Tunnel has been received, and that it will be carefully and deliberately considered by Her Majesty's Government, in connection with the Report of the Military Advisers of the Government, before a decision is arrived at as to the course to be pursued, and as to the course we shall recommend Parliament to adopt on the whole subject. We have now received the very careful and voluminous Report of the Duke of Cambridge as the Military Adviser of the Government; but the question is one of such extreme importance that I cannot undertake to say on what day the final decision of the Government will be arrived at. When, however, they have come to that decision, it will be forthwith communicated to Parliament. With regard to the small experimental tunnel now being pushed on under the sea, the Company constructing it, under the auspices of my hon. Friend the Member for Hythe (Sir Edward Watkin), are in communication with the Board of Trade, and the only advice I can give to my hon. Friend is to comply with the notice he has received from the Board of Trade and discontinue operations.

SIR EDWARD WATKIN: I would ask the right hon. Gentleman to which notice he refers? Does he mean the notice I received on Sunday morning?

MR. E. W. HARCOURT: Are we to understand that the President of the Board of Trade gave a promise that nothing would be done in the matter until the House had an opportunity of expressing an opinion upon the subject?

MR. CHILDERS: The Notice I referred to was to discontinue these operations. As to that, I conceive there is no doubt that Notice has been given and that it ought to be obeyed. With respect to the Question of the hon. Member opposite (Mr. Harcourt), I suppose he alludes to the declaration which has been made more than once here that nothing whatever can be done with regard to the Channel Tunnel without the approval of Parliament, and that Her Majesty's Government object to any Bill for a Channel Tunnel being proceeded with until they have arrived at a decision as to the advice they would offer to Parliament in the matter.

CRIME AND OUTRAGE (IRELAND) — PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881.

SIR WALTER B. BARTTELOT asked the First Lord of the Treasury, Whether, considering the atrocious character of the murders now almost daily committed in Ireland, the Government are taking energetic measures, with the large forces at their disposal, to apprehend the murderers, and to prevent the recurrence of these terrible crimes; and, whether, considering that the Protection of Life and Property Act, 1881, is still in force, any use is being made of that Act?

MR. GLADSTONE: Sir, with respect to the first part of the Question, I have no hesitation in saying—indeed, I think the character of Lord Spencer may be a guarantee for it—that every effort will be made by the Government in the disposal both of their civil and military means for the repression of outrages in Ireland; but it will not be convenient or advantageous that I should enter upon details which would convey information to those for whom it is by no means intended. As to the second part of the Question, the Protection of Person and Property Act is still being enforced. Lord Spencer regards it as an Act proper to be used in cases in which it can be employed advantageously, and upon that principle he will act should a case arise.

SIR MICHAEL HICKS-BEACH: May I ask the Chief Secretary for Ireland whether any new warrants under that Act have been issued since the resignation of the right hon. Member for Bradford (Mr. W. E. Forster)?

MR. TREVELYAN: Sir, three of the cases in which warrants have been issued have occurred since the resignation of my right hon. Friend.

SIR MICHAEL HICKS-BEACH: May I ask who signed the warrants?

MR. TREVELYAN: Sir, the warrants were signed in Ireland with my full knowledge. The three warrants referred to were issued in consequence of the outrages which occurred subsequent to the resignation of my right hon. Friend.

THE O'DONOGHUE: I beg to ask my right hon. Friend the Chief Secretary for Ireland, whether he is in a position to give the House any information in reference to the serious disturbance which is reported to have occurred at Listowel on Sunday?

MR. TREVELYAN: Sir, I am not in possession of much information on the subject, but the last news I received was as late as 4.52 P.M., and I will read what I have to the House—

"Telegram No. 1.—From Colonel Brackenbury to the Chief Secretary.

"Dublin Castle, July 3, 3.25 P.M.

"Serious riot at Listowel yesterday. A constable fired four shots on mob from revolver. No one injured."

"Telegram No. 2.—From same to same.

"No particulars beyond those already sent received as to riot at Listowel."

PARLIAMENT—PRIVILEGE—THE RECENT SUSPENSION OF IRISH MEMBERS.

MR. CALLAN: I beg to ask the Chairman of Committees of Ways and Means, Whether the statements contained in the semi-editorial paragraphs in *The Observer* and in *The Standard* of this morning, to the effect that his action in suspending 16 Members on Saturday morning was based on their course of proceedings during the debates on the Prevention of Crime Bill, extending over a period of 19 days—I have to ask whether that information was supplied on his authority or at his suggestion; and, if so, whether the statement in question is a correct version of the grounds upon which he named the 16 Members on the morning of Saturday last?

MR. LABOUCHERE: I wish, with your permission, Sir, to ask you a Question arising out of the following passage from the semi-official work of Sir Erskine May on Parliamentary Practice, at page 380 of the seventh edition:—

"In the Commons the Chair (at the Table) is generally taken by the Chairman of the Committee of Ways and Means. If a difference should arise in the Committee concerning the election of a Chairman, it must be determined by the House itself, and not by the Committee. The Speaker resumes the Chair at once, and a

Motion being made 'that A. B. do take the Chair of the Committee;' the Speaker puts the Question, which being agreed to, the Mace is again removed from the Table, and the Committee proceeds to business under the Chairman appointed by the House. On the 2nd of February, 1810, the Speaker having left the Chair for the House to go into Committee of Ways and Means, Mr. W. Smith, addressing himself to Mr. Ley, the Clerk, begged to say a few words to the House. The Speaker interposed and explained that if any difference of opinion arose on the subject of who should be called to the Chair, it could not be discussed in the incomplete state in which the House then was. The Chancellor of the Exchequer then called upon Mr. Lushington to take the Chair, and Mr. W. Smith upon Mr. Davies Giddy; whereupon the Speaker immediately returned to the Chair and said that now was the time to propose who should be Chairman of the Committee."

I have to ask you, Sir, in view of this precedent, whether it will be open to me, when the Motion is made for you, Sir, to leave the Chair for the House to go into Committee on the Prevention of Crime Bill, to move "That Mr. Courtney do take the Chair?"

Sir H. DRUMMOND WOLFF: Before you, Sir, answer that Question I wish to ask you another. It is whether the Chairman of Committees is entitled, while the Chair is being temporarily occupied by another Member of this House—being a subordinate Member of the Government—to vote on the Bill in the very Committee of which he is Chairman? I wish, Sir, to point out that on Saturday, in a Division on an Amendment, the right hon. Gentleman voted for the Government, and his name is in the Division List—"The Right Hon. Lyon Playfair." The two Tellers against his view of the Question were Mr. Arthur O'Connor and Mr. O'Sullivan, who on his return to the House were almost immediately afterwards suspended by him. I think it right, Sir, to say that I have received from the right hon. Gentleman a letter in which he states that he has not the slightest recollection of having voted. ["Oh, oh!"] I accept that as an understanding that he will not do it again. ["Oh!" *and laughter.*] I hope the supporters of the Government will not render it necessary for me to take a step which I am perfectly ready to take. [*Ironical cheers.*] I see that the Home Secretary is cheering in his usual offensive manner. ["Order!"]

Sir JOHN R. MOWBRAY: I rise to Order, Sir. My hon. Friend rose to put a Question, but instead of doing so he is raising a debate on what took place on Saturday, reading a letter which he has received from the right hon. Gentleman the Chairman of Ways and Means, and then making observations on the right hon. and learned Gentleman the Home Secretary.

Sir H. DRUMMOND WOLFF: I am not raising a debate at all, Sir. My right hon. Friend is mistaken. I ask you, Mr. Speaker, whether the Chairman of Ways and Means, while being Chairman of a Committee of the Whole House on a Bill before the House, being temporarily absent from the Chair, and replaced by a Member of the Government, is entitled to vote in a Division, and if there is any precedent for it?

Mr. LYON PLAYFAIR: Before you give an answer to that Question, Sir, will you permit me to ask the hon. Member, in order that all the facts of the case may be laid before you, to read the whole of the letter of which he has only read a paragraph?

Sir H. DRUMMOND WOLFF: The letter is as follows:—

> "I understand that you intend to ask a Question about my voting in Committee while Mr. Courtney was in the Chair. I was very careful to go into the Room behind the Chair on several occasions so as not to vote. I have not the slightest recollection of having done so, though I see my name marked in the Division List."

I think it is right to add that I myself saw the right hon. Gentleman in the Lobby.

Mr. SPEAKER: In answer to the Question of the hon. Member for Northampton, I have to say that he has put to me a Question upon a point of Order not now arising, and it is not my duty to answer any Questions but those which arise immediately out of the Business of the House. Under the circumstances, however, it may be convenient to the House that I should state that the Chairman of a Committee of the Whole House, according to the practice—the immemorial practice of the House—may invite another Member to take the Chair, who proceeds to exercise the authority of the Chairman. That course is frequently taken, and has received the approval and sanction of the House. The hon. Member asks me a further Question—Whether, on the Motion that I do leave the Chair, to go into Committee on the Bill, he would be entitled to move that some Member of the House, other than the Chairman of the Committee of Ways and Means, do take the Chair. I think that he would not be entitled to make that Motion. With respect to the Question of the hon. Member for Portsmouth, I am not aware that the Chairman of the Committee of Ways and Means has ever voted in the Committee; but, at the same time, I am not prepared to say he is not entitled to vote. The House is aware that the Speaker himself is entitled to vote.

MR. ONSLOW: You will recollect, Sir, that when you put the Motion to the House the other day that certain Gentlemen should be suspended it was impossible for any Member to raise a point of Order. I wish to ask whether it is competent for the Chairman of Ways and Means to suspend any hon. Member of this House for retrospective action, which he considers has been of an obstructive nature; and also whether the time to take cognizance of the misconduct of a Member should not be at the time when he has committed—or is considered to have committed—a breach against the Rules and Orders of this House.

MR. SPEAKER: I have a copy of the Standing Order before me, under which I understand the Chairman acted at the last Sitting of the House. I see no limitation in that Standing Order on the discretion of the Chairman. Some light is thrown on this matter by what took place in this House last Session. If the House will allow me, I will cite an opinion of my own given under somewhat similar circumstances last Session. The right hon. Member for South-West Lancashire (Sir R. Assheton Cross) appealed to me on the 31st of January, 1881, pointing out in the earlier part of his observations that numerous Motions of a dilatory character had been made, and concluded with these words—

> "I put it to you, Sir, whether all these speeches, if they be taken, not one by one, but in combination, do not show that there is a decided combination for the purpose of wilful and persistent Obstruction? ['No, no!'] I would ask further, whether, under this Order of the House, you have not the power of putting a stop to these proceedings? I would venture also to suggest that under your inherent power as Speaker you have the absolute power of dealing with the matter. . . . . I now beg to ask you, Sir, whether, by your inherent authority as Speaker of this House, you have not power to put a stop to these proceedings; and also, whether you have not, under this particular Order, the power of saying, taking in combination the speeches of hon. Members and the whole course of the debate, that this mode of carrying on the debate is not, in the terms of the Rule, persistent and wilful Obstruction of the Business of the House?"

My reply was as follows:—

> "The principal question which the right hon. Gentleman has put to me I understand to be this—What is wilful and persistent Obstruction of the Business of the House, so as to bring a Member wilfully and persistently obstructing within the operation of the Standing Order to which reference has been made? Now, I will say this. I can well understand that although Members speaking to the Question before the House may speak altogether in Order with respect to that Question, still, I can well understand that Members may enter into a combination to effect a purpose which would bring them within the operation of this Order; and if I found that there was a distinct and clear combination on the part of Members of this House wilfully and persistently to obstruct the Business of the House by combination, I should consider that this Standing Order would apply. I am bound to say that the course of this debate has brought before me evidence of that combination, in so far as to bring Members wilfully obstructing within the operation of the Standing Order."—[3 *Hansard*, cclvii. 1943-4.]

Those were the words which I addressed to the House last year, and it appears to me that they have a clear bearing upon the question now before it.

MR. ONSLOW: With the permission of the House, I desire to explain that, in putting the Question I have done, I merely desired to obtain the ruling of the Speaker on the point, and that I did not wish for one moment to impugn the conduct of the right hon. Gentleman the Chairman of Ways and Means.

MR. HEALY: I wish to ask you, Sir, with reference to the ruling which you have just read from the Chair, as to what took place last year when you acted upon the declaration which you then made, whether it is not the fact that there was not a single Member suspended last year under the circumstances of the ruling which you then gave? I wish to ask whether the suspensions which took place last year were not made because certain hon. Members refused to leave the House and go into the Division Lobby; whether it is not the fact that no suspension took place last year for Obstruction, and whether there was any precedent whatever for the Chairman's action, inasmuch as there never has been a suspension in this House before for Obstruction?

Mr. SPEAKER: In answer to the hon. Member for Wexford, I have to point out that on the occasion to which I have now made reference I did consider myself at liberty to Name to the House the considerable number of Members who, in my opinion, had obstructed the Business of the House wilfully and persistently; but, acting on my own discretion, I did not take that course.

Mr. DILLON: I desire to ask you a Question, Sir, on a matter of Privilege. I desire, first, to inform you that on Saturday last, on coming down to take my seat in this House, I was stopped by the doorkeeper, and told that I could not enter. I wish now to ask, having taken this, the very earliest opportunity possible to me, as I have been up to this excluded from the House, whether I am not entitled to bring this conduct of the doorkeeper under your notice as a matter of Privilege?

Mr. SPEAKER: The doorkeeper acted under the authority of the Serjeant-at-Arms, and he was strictly within his right. There can be no question as to the proper conduct of the officer of the House. The House had ordered a certain number of Members to be suspended by name, and it was the clear duty of the Serjeant-at-Arms to take care that those Members did not return to the House.

Mr. CALLAN: Sir, as I now see the Chairman of Committees in his place, I beg to ask him whether the information contained in semi-editorial paragraphs in *The Observer* of yesterday and *The Standard* this morning, to the effect that his action in suspending 16 Irish Members on Saturday morning was on account of their conduct during 19 days of the Committee—I have to ask whether that information was supplied by his authority or at his suggestion; and, if so, whether the statement in question is a correct version of the grounds on which he Named the 16 Members on the morning of Saturday last?

Mr. LYON PLAYFAIR: I may say that to neither paper mentioned, nor to any of the reporters, as far as I know, did I communicate the slightest information.

Mr. JOSEPH COWEN: Sir, there are some portions of the record in the Votes and Proceedings issued to Members this morning the correctness of which I contest. I wish to know whether now would be the time to dispute their correctness?

Mr. SPEAKER: If the hon. Member desires to make a Motion on the matter he can do so in the ordinary way by calling attention to the Votes and Proceedings, but he cannot do so without Notice.

Mr. JOSEPH COWEN: Can I not contest the correctness of the statement in the Votes and Proceedings at this time, or are we to assume that the correctness is admitted?

Mr. ARTHUR O'CONNOR: Would it not be competent for the hon. Member to move that a certain portion should be struck out by the Clerk at the Table?

Mr. SPEAKER: I have stated that the proper course for the hon. Member to take is to give Notice of Motion in the ordinary way.

Mr. CALLAN: Sir, perhaps it may be within your memory, in the month of July or early in August, 1879, I, finding that the Votes and the Division List were incorrect with reference to the then Under Secretary of State for the Home Department, by your direction drew the attention of the House to the matter, and that immediately on the very next morning, by your direction, the Votes were cancelled and a new set issued in correct form. I wish now to ask whether it is not competent for an hon. Member to draw attention to the Votes in a similar manner? My reason for wishing to do so is this—on the morning of Saturday last, at 10 o'clock, the Chairman of Committees——["Order!"]

Mr. SPEAKER: The hon. Member, I understand, puts to me a Question arising out of a point of Order raised by the hon. Member for Newcastle (Mr. Joseph Cowen). If I rightly remember, on the occasion to which the hon. Member refers, some error was pointed out in regard to the insertion of a name, and the alteration was made. But that is no precedent for treating the matter which the hon. Member for Newcastle desires to bring before the House as a question of Privilege. He can, of course, take what action he thinks proper in the matter; but what I understand him to claim is to deal with this question as a question of Privilege.

Mr. CALLAN: The question raised in July, 1879, was the omission of the names from the Division List of the hon.

Baronet the then Under Secretary of State for the Home Department, and my Notice to-day is with reference to the insertion of a name in the Papers which was not read from the Table.

MR. SPEAKER: The hon. Member is now entering into a debate. He has put a Question to the Chair, and having received an answer from the Chair in reference to the point, he must be content.

MR. GORST: Sir, I wish to ask, upon a question of Order, whether the object of the hon. Member for Newcastle is not to secure the correctness of the Records of the House; and whether he would not, therefore, be justified in now calling your attention and the attention of the House to any inaccuracy in the record of the proceedings?

MR. SPEAKER: I understand that the hon. Member for Newcastle (Mr. J. Cowen) desired to make a Motion on a question of Privilege which he would be out of Order in doing. If I have not correctly understood him, perhaps he will explain.

MR. JOSEPH COWEN: My object, Sir, was to call attention to the record of proceedings. In a Report made by the Chairman of Committees to you, Sir, there were four hon. Members Named for wilful Obstruction in this House, although those hon. Members were away from the Committee at the time.

MR. SPEAKER: If the hon. Member desires to bring such a matter before the House, he must do it by way of Motion. As I understand, the hon. Member has already given Notice of such a Motion.

MR. JOSEPH COWEN: Will you allow me to explain, Sir? It is quite true that I have given Notice of my intention to make a Motion with regard to the case of four of the hon. Members who were suspended on Saturday; but I now desire to call attention to the cases of other hon. Members who were suspended at the same time. [*Loud cries of* "Oh!" *and* "Order!"]

MR. JUSTIN M'CARTHY: I wish to ask you, Sir, on a point of Order, whether, when the Chairman of Committees Names to the House a certain number of Members as having been guilty of wilful Obstruction, it is competent for the Minister of the Crown who rises to move the Motion of Suspension to add to those names the name of an hon. Member not mentioned by the Chairman of Committees; and, whether, when the Chairman of Committees put the Motion to the Committee without that name added by the Minister, it is competent to submit to you, Sir, a list of names containing again the name of the hon. Member not mentioned on either occasion in the Resolution?

MR. CHILDERS: I presume, Sir, the Minister referred to is myself, and I beg to state that I moved the suspension of those Members only who were included in the list of the Chairman of Committees. [*Cries of* "Oh!"]

MR. JUSTIN M'CARTHY: Perhaps I may be allowed to explain exactly what I mean. The list of names of Members Named by the Chairman of Committee did not include my name. The right hon. Gentleman——

MR. CHILDERS: If am applied to ——["Order!"]

MR. SPEAKER: If the name of the hon. Member for Longford was not upon the list of the Chairman of Committees, the hon. Member should not have been reported to the House as having been guilty of wilful Obstruction.

MR. CHILDERS: If I am applied to, I may say that I did not know before to whose name the hon. Member for Longford was referring; but I am able to state distinctly, from my recollection, that the name of the hon. Member was included in the Chairman's list. The paper from which I read was handed to me by the Chairman of Committees. [*Cries of* "Oh!" *and* "Personal malice!"]

MR. JUSTIN M'CARTHY: May I be allowed to explain? The Chairman of the Committee did not Name me in the list of Members, neither in the first list nor in the second. Afterwards I went round to the Chairman of Committees and asked him if my name was on the list, and he said it was not.

MR. HEALY: It was personal malice. [*Cries of* "Order!"]

MR. JOSEPH COWEN and MR. MAGNIAC here rose amid loud cries of "Order!" and shouts from the Home Rule Benches.

MR. SPEAKER: If interruption of that kind continues from the quarter of the House from which it proceeds, I shall feel it my duty to take notice of it.

MR. MAGNIAC: I rise to Order, Sir. I wish to ask you whether the hon. Member for Wexford is in Order in imputing "personal malice" to the right hon. Gentleman the Secretary of State for War?

Mr. HEALY: May I be allowed to ask the hon. Gentleman how he knows to whom I addressed those words? [*Cries of* "Oh, oh!" *and* "Order!"]

Mr. JOSEPH COWEN: As the name of the hon. Member for Longford (Mr. Justin M'Carthy) appears not to have been in the list which was read by the Chairman of Committees, I beg to move that the name of the hon. Member be erased from the record of the House's proceedings.

Mr. CALLAN: I rise to second the Motion. ["Order!"]

Mr. LYON PLAYFAIR: Sir, the hon. Member for Longford (Mr. Justin M'Carthy) came to me and asked whether his name was included in the list read by the Secretary of State for War from the Table. In looking over the list, I certainly did not see it at first, but afterwards I pointed out to the hon. Member that his name appeared in another line, and that it had been read by the Secretary of State for War.

Mr. CALLAN: On the Motion of the hon. Member for Newcastle I wish to state that I was present on the occasion, and heard the names read.

Mr. SPEAKER: There is no Question before the House. Is the hon. Member asking a Question on a point of Order?

Mr. CALLAN: No, Sir.

Mr. SPEAKER: Then the hon. Member must resume his seat.

Sir JOHN HAY: I hope, Sir, I may be permitted to put a Question to the Chairman of Committees. I wish to ask him whether it is still his opinion that the name of the hon. Member for Kilkenny (Mr. Marum) was inserted erroneously in the list for suspension?

Mr. LYON PLAYFAIR: No, Sir; it was certainly not inserted erroneously, from the circumstance that the hon. Member spoke a great many times, and moved a great many Amendments during the consideration of the Bill in Committee. The right hon. and gallant Member alludes to a private conversation I had with him, in which I stated my own regret that I had been obliged to insert the hon. Member's name, because I did not think the hon. Member spoke so often or was so obstructive as some of the others.

Sir JOHN HAY: I was present in the House for 22 hours, and during that time the hon. Member for Kilkenny spoke only once. [*Cries of* "Order!"]

Mr. SPEAKER: The right hon. and gallant Gentleman cannot refer to that matter now.

Mr. ARTHUR O'CONNOR: I wish, Sir, to refer to the Minutes of the Votes. We have it there stated that the Chairman of Committees called the attention of the Committee to the fact that certain Members had been guilty of Obstruction, and that thereupon he Named those Members to the Committee, upon which Naming a vote of the Committee was taken, and that vote was reported to the House. The record then proceeds to state how you, Sir, put from the Chair a similar Question to that which had already been put in Committee, and the House voted upon that Question. The Votes then relate how Mr. Playfair then reported to the Speaker that the hon. Member for Dungarvan (Mr. O'Donnell), sitting in his place, had insulted the Chair by saying that the action taken by it was an infamy. What I wish to submit is that the Speaker of the House has only one voice, and that is the voice which the House gives to him. The Chairman of Committees similarly acts on instructions received from the Committee. I submit that, in regard to the suspension of the Members, he carried out the directions of the Committee; but when he proceeded to report to you that the hon. Member for Dungarvan (Mr. O'Donnell) had done as he accused him of doing, then he was not acting according to the record upon any instruction or Motion of the Committee; and I wish to ask whether the Chairman was within his right in making a report as from the Committee which he had no instructions to make?

Mr. SPEAKER: I apprehend that the Chairman of Committees acted according to his duty. He considered the conduct of the hon. Member for Dungarvan irregular and disorderly; and as Chairman of Committees he was bound to report that conduct to me, so that the House might take what course it thought proper in the circumstances.

Mr. PARNELL: On the point of Order, Sir, I wish to ask whether the proper course for the Chairman of Committees to have adopted under the circumstances mentioned would not have been to have directed the Assistant Clerk to take down the words used by the hon. Member for Dungarvan (Mr. O'Donnell), to have brought them before the Committee, and to have obtained the directions of the Committee regarding them; and whether the Chairman of Committees, in taking upon himself to make the report to the House without having previously obtained the directions of the Committee, was not proceeding *ultra vires?* I wish to ask, further, whether the only power the Chairman of Committees has, with regard to making a report to the House as to the conduct of any Member without special direction of the Committee, is when he has Named that Member to the Committee, and is empowered by the vote of the Committee to report that name to the House?

MR. SPEAKER: No doubt the ordinary practice is that the words objected to in debate, and considered disorderly, should be taken down. That is only when the House is in debate, or the Committee is in debate. Upon this accusation the hon. Member was not in debate. The debate had been closed, and the only course open to the Chairman was to do what he did, and report the matter to the House, so that the House might take such notice of it as it thought proper.

MR. PARNELL: I beg to ask you, Sir, whether there is any precedent in the whole history of this House for such conduct, and whether any Chairman of Committees has ever previously reported words used by a Member during the Sitting of the Committee without having previously had the words taken down and read to the Committee, thus affording the Member in question an opportunity of withdrawing them, or of contradicting the correctness of the report?

MR. SPEAKER: I cannot, without searching the Journals of the House, say whether there is or is not any precedent for the conduct of the Chairman on this occasion. This I will say, that there is no precedent for the proceedings which took place in this House on Saturday.

MR. O'DONNELL: As to the question of precedent, is it not a fact, Sir, that in the year 1837 the Speaker of the House, complaining that the House refused to obey him, threatened to leave the Chair and his Office unless the House became more orderly?

MR. ARTHUR O'CONNOR: I wish to submit, Sir, that as the record of the proceedings will be entered on the Journals, and remain as a precedent, it is of importance that it should be correct. There appears to be no mention on the Minutes of the fact of which you, Sir, appear to be somehow in possession —namely, that the interruption of the hon. Member for Dungarvan took place at a time when the Committee was not in debate. Should not the record be amended so as to include that fact?

MR. SPEAKER: I have already twice said, and now say again, in answer to the hon. Member, that if any hon. Member thinks proper to challenge the entry in the Votes, it is open for him to do so. I have to say, also, as I have already said to the hon. Member for Newcastle (Mr. Joseph Cowen), that such proceeding would not be a question of Privilege.

ORDER OF THE DAY.

PARLIAMENT—MR. O'DONNELL.

Order read for the Consideration of Mr. O'Donnell's conduct on Saturday last, as reported by the Chairman of the Committee on the Prevention of Crime (Ireland) Bill.

MR. GLADSTONE: Sir, the House is generally aware, I believe, of the subject-matter on which the Order of the Day is founded. It is referred to on page 627 of the Votes as follows:—

> "Mr. Playfair then reported to Mr. Speaker that Mr. O'Donnell, the Member for Dungarvan, sitting in his place, had insulted the Chairman, saying that the action taken by him was an infamy. Mr. Speaker thereupon addressed the House, and stated that it was his duty, in consequence of the Chairman's report, to submit the conduct of Mr. O'Donnell to the judgment of the House. Motion made, and Question put, 'That the conduct of Mr. O'Donnell be taken into consideration on Monday next.'"

I rise, I believe, in conformity with precedent and with convenience, to take the liberty of suggesting to the hon. Member for Dungarvan (Mr. O'Donnell) that it might be advantageous if he were to take this opportunity of submitting any statement on the subject of the proceedings in question which he may think himself called upon to make.

Mr. HEALY: I wish, Sir, to ask a question on a point of Order. I wish to know whether the Motion which the Prime Minister has submitted is a matter of Privilege; whether, if it be a matter of Privilege, the consideration of it will be prolonged as a question of Privilege or not; if it be so, whether Notice to that effect was given on Saturday; and whether Privilege can be made the subject of a Motion; also, if it be not a question of Privilege, whether there is not on the Votes of the House a Resolution that the Prevention of Crime (Ireland) Bill shall have precedence of all Orders of the Day and Notices of Motion until the House shall otherwise order?

Mr. SPEAKER: The House ordered that this matter should be taken into consideration to-day. It is a question of Privilege, and the proceeding is quite in Order.

Mr. O'DONNELL: I received a communication, signed by the Clerk of the House, informing me that my conduct would be taken into consideration. I sit here awaiting the taking of my conduct into consideration.

Mr. GLADSTONE: Sir, the hon. Member for Dungarvan (Mr. O'Donnell) has been appealed to in a manner which, I believe, is usual, and which, I trust, was not discourteous. At least, if it were discourteous, that was contrary to my intention, and I do not believe it was discourteous. The hon. Member has, however, declined to afford the House the assistance of any explanation. [Mr. O'Donnell: No, no.] The hon. Member, I say, has declined to afford the House the assistance of any explanation anterior to its consideration of his conduct. Sir, under those circumstances, we approach that consideration necessarily with very great disadvantage. The hon. Gentleman appears to have cried out in the course of the proceedings of this House, but not in the course of the debate, that the conduct of the Gentleman who was in charge of the proceedings of the House as Chairman of Committees was an infamy. [Mr. O'Donnell: No.] If I have not in my power the means of obtaining the elementary facts of the case it is a clear proof how desirable it was that the hon. Member should have afforded us an explanation. If the hon. Member is ready to give it I shall be most ready to retire in order that it may be given, for I feel keenly the disadvantage under which we are placed and the necessity which that disadvantage might impose upon us, and which otherwise might have been mitigated.

Mr. O'DONNELL: I trust the right hon. Gentleman will not take it that I intended to be discourteous when I said that I wait here to answer any accusation which may be brought against me.

Mr. GLADSTONE: The accusation is upon the Votes. There is there recorded not only an expression which, of course, involves a matter of opinion—namely, that the Chairman had been insulted—but there is also recorded the fact that the hon. Gentleman cried out under the circumstances I have described that the action taken by the Chairman was an infamy. The hon. Gentleman says he waits to have some accusation made against him. Much less acuteness than is possessed by the hon. Member would have sufficed to show him what it was. It is the simple fact of his having declared in his place, though not during a debate, that the course taken by the Chairman was an infamy. That is the accusation, and I bound to say that, unexplained, it is a very severe accusation, a most grave accusation, and I must take the accusation as it is before me, without explanation, without apology, without regret, as being a statement of conduct which is deliberately adhered to. The hon. Gentleman has the opportunity of correcting me, but I understand that his conduct is deliberately adhered to.

Mr. O'DONNELL: I am quite prepared to answer the instant a charge is formulated. I may add that I was suspended before any proceedings were taken, or any reference was made to me. I am not aware what proceedings took place after 16 Members, myself included, were violently driven from our deliberations in this House.

Mr. GLADSTONE: I think the hon. Gentleman does not understand. With what he has termed his previous conduct I have, upon the present occasion, no concern whatever. I apprehend that I should entirely mistake my duty—which is to become, if I can, the organ of the reasonable sentiment of the House—I should entirely mistake my duty were I to go back upon proceedings entirely anterior to and independent of the subject-matter to which our attention is immediately called. The hon. Gentleman might have been perfectly inaccessible to any just charge, or he might not. I do not enter into that; I have nothing to do with it. What I have to do with is this. A certain proceeding having been taken by the constituted authority of the House, who was in the Chair, presiding over our deliberations, the hon. Gentleman, not in debate, but during the Sitting of the House, and in his place, designated that proceeding as an infamy. It is not in the slightest degree necessary for me to use language of heat on this occasion. Without using any language of heat, I must say that if upon any occasion a Member of this House desires to challenge the proceedings of the constituted guardian of the debates of the House for the time, his absolute duty to himself, to that guardian, and to the House is to make that challenge in a regular manner, and if it be a challenge in the nature of a censure then the principle which I have stated applies with an enhanced force. If the hon. Member thought that the proceeding of the Chairman of Committees was open to animadversion, his course, I apprehend, was plain. It was to give notice of a Motion on that subject, and in a regular method to call the attention of the House to it.

MR. ARTHUR O'CONNOR: I rise to Order. The right hon. Gentleman the Prime Minister has on the Paper a Notice that at a quarter-past 4 o'clock he would move—

> "That the Orders of the Day subsequent to the Order for Consideration of the conduct of Mr. O'Donnell be postponed till after the Notice of Motion relating to the Business of the House (Urgency)."

I wish to ask whether the right hon. Gentleman, not having carried that Motion, is in Order in discussing the conduct of Mr. O'Donnell himself?

MR. SPEAKER: I have already stated that this is a question of Privilege, and it takes precedence of other matters. The right hon. Gentleman is quite in Order.

MR. O'DONNELL: On the question of Order and Privilege, I have received a communication from the Clerks of the House, stating that my conduct will be taken into consideration. I want to have some official information from you, Sir, from the Chairman of Committees, or from the Leader of the House, as to the nature of the charge. When that charge has been made I am prepared, at the call of the House, at once to make my statement.

MR. SPEAKER: The House has already made an Order that this matter should be taken into consideration today. The House is now considering the matter, and the proceedings are quite in Order.

MR. O'CONNOR POWER: I rise, Sir, to ask a question which may facilitate the proper discussion of this matter. I think it is usual, when questions of Privilege arise, that a Motion should be made founded upon the conduct of the Member whose conduct is called in question. That Motion is usually not of a punitive character in the first instance, but only to the effect that his conduct is a breach of the Privileges of the House. It is then open to the Member in due form to volunteer any explanation he may think proper, and the other Members are also in possession of their privilege, because they can address the House on the original Question. Having got through that stage, the House can subsequently determine whether it is necessary to go any further.

MR. SPEAKER: This debate is not on a Motion, but on the Order of the Day. The House has actually ordered that this matter should be taken into consideration to-day, and unless it is prepared to stultify itself the House must proceed with this Order.

MR. GLADSTONE: As to the method of procedure, I am ready, Sir, to attend to the slightest suggestion from you; but I believe what I have thus far done is in conformity with the usages of the House. Whatever Motion is made, it must be made with grounds to support it. The reasons bearing upon the case must be adduced, and the disadvantage under which we stand, through not knowing what explanation the hon. Member might be disposed to offer, would be precisely the same whatever Motion bearing upon this case may be made. I say it is the plain duty of a Member of this House, who wishes to challenge the proceeding of the constituted director or guardian of its debates, to challenge it in the most regular manner by a Motion. On this occasion, unfortunately, that was not done, and that was the first point of error of judgment, if I may say so, on the part of the hon. Gentleman the Member for Dungarvan. The next point of error was that that challenge was made in a manner which I believe to have been entirely irregular and unauthorized. It was made in language of a character totally unsuited to the debates of this House, even as between Member and Member; but still more so as between a Member of this House and the Speaker in the Chair, or the Chairman of Committees, who, in Committee, exercises the same authority for the time as is given to the Speaker. To apply to such a person the expression "infamy," even if it had been attempted to be done in a more regular manner, would, it appears to me, constitute so grave a breach of the ordinary usages of this House as to demand its most serious notice. Now, how do we stand? These two points appear to me to be sufficiently grave; but the hon. Gentleman has, as I think, most unfortunately, put upon us the necessity of considering the third point. He says he wishes to know what is the accusation against him. The accusation against him has already, before the meeting of the House, been placed under his view. It is contained in the printed Votes, and is to the effect that the hon. Member said that the action taken by the Chairman of Committees was an infamy. When the hon. Member for Dungarvan calls for an accusation and declines to reckon as an accusation this most grave allegation, I have no choice but, for the time at least, to consider him as admitting, adhering to, and affirming the words which he has unfortunately made use of. If the hon. Gentleman deems that such words, irrespective of the manner of their usage, and still more when combined with the manner of their usage, constitute no charge, and are within the liberties of the Members of this House, I must own I cannot resist the conclusion, though I arrive at it with regret, that such a fact is a fact calling for the most serious notice of the House, requiring someone on the part of the House to make a Motion, which I have undertaken to do by virtue of the Office I hold, which upon the facts as they stand before him shall give effect to what he believes to be the probable, natural, and just sentiment of the House. As the hon. Gentleman adheres to the improper words he used, and declines to offer any explanation or defence of them, I wish to submit the following Motion—"That Mr. O'Donnell be suspended from the service of the House for fourteen days."

Motion made, and Question proposed, "That Mr. O'Donnell be suspended from the service of the House for the term of fourteen days."—(*Mr. Gladstone.*)

Mr. SPEAKER having put the Question,

Mr. HEALY: I beg to ask you, Sir, whether the Motion does not require a Seconder?

Mr. SPEAKER: I have put the Motion to the House; I have not thought it necessary to call for a Seconder.

Mr. O'DONNELL: Sir, I am at last indebted to the justice of the Premier for a statement of the charge brought against me. With regard to the statement in the Votes, I have heard the accuracy of those Votes impeached on all sides to-day; and in a matter of such gravity, I felt it was due to the House, and I venture to think it was due to the accused person, to know what were the terms of the accusation, and the precise scope of the charges made against him. As I gather from the Premier, the terms of the accusation made against me in my absence on Saturday last, I have to state that those words are seriously inaccurate, and change and alter the drift, purport, and object of my remarks. In the course of the explanation I have to make, I trust I shall say nothing that will savour of unseemly bravado; but I trust I shall be allowed to state with accuracy and fullness what I did say, and to explain the reasons why I made such observations as I did. I throw myself, without fear, upon the justice of the House and of the country—and whether it be the decision of the House to altogether reject, to minimize, or increase the measure of punishment suggested by the Premier, I am quite prepared, in all humility, but in all firmness, to accept the consequences. Sir, I did not, as alleged, assert that the action of the Chairman was an infamy. I stated, I admit, several matters, some of which directly impugned the conduct of the Chairman; I said, addressing the Chair—"You sin against all the traditions of your Office." I admit the irregularity of my apostrophe to the Chair; but I had no opportunity of making a defence. I was in the House sitting quietly listening to a debate when I found myself Named as guilty of Obstruction. I had received no Notice of such charge; and during all my proceedings in this House I could perceive nothing in the conduct of the Chair towards me that led me to imagine for an instant that I was not considered by the Chairman an orderly Member of the House, lawfully exercising the duty I was sent there to perform. I specially meant by that statement that, in my opinion, the duty of the Chair is to warn an offender of transgressing the Rules of the House before any proceedings were taken against an alleged offender. I understood it was the common right of all Members of the House to expect to receive such warning in clear and unmistakable terms. I remembered that when the Standing Order invoked against me was introduced by the Leader of the House, he expressly declared that no Member would be punished under it who had not been expressly warned that he was transgressing the Orders of the House, and that it was only for persistent disobedience, after warning, that a Member was to be proceeded against. I desired emphatically to declare that Mr. Lyon Playfair, in suspending me without a syllable of warning, was acting in a manner in which none of his Predecessors would have acted. I have been in this House under a Chairman of Committees of undoubted ability and high impartiality—a Gentleman as opposed to me politically as one man can be to another—and I say with the most absolute confidence that had the right hon. Gentleman the Member for Preston (Mr. Raikes) been Chairman of Committees, I should not have been suspended without receiving the most distinct notice of the danger I was incurring. I meant to say that when I said that the Chairman sinned against the traditions of his Office, and I am prepared for the consequences of such a statement. I also said, not in particular reference to the Chairman, but as a matter of self-defence and exculpation, though, undoubtedly, that self-defence and exculpation were intended to impugn the Chairman's conduct—"I have been absent all night, and I have been foully Named as guilty of Obstruction." I claim the right to explain what I meant when I said so. I meant, as a fact, I had been absent all night; and when I said I had been foully Named as guilty of Obstruction, I meant to say that in all my action during that operation of the Sitting, and all the previous Sittings, I acted independently and honestly in the discharge of my duties to my constituents, and according to the most cherished traditions of Order. I beg to remind this House that, in reference to the discussion of the Crimes Promotion Bill—the new Coercion Bill—I never professed to expect anything from prolonged discussion or debate upon its provisions. I did not, in the slightest degree, cast any reflection upon any of my hon. Colleagues from Ireland when I made that statement on my own behalf; but I did say that it was hopeless to expect any amendment of that Bill, and I did recommend, before this assembled House—and it is within the knowledge of scores of Members—my hon. Colleagues from Ireland to let that Bill pass without any attempt at amendment. I begged them to let the Bill pass in all its unmitigated brutality. I urged my Colleagues to appeal to the Irish people. I said that the opinion of the Irish people among themselves was the only defence against the horrors of this brutal Bill. Hon. Members on both sides of the House are welcome to disagree with me in my estimate of the matter of that Bill; but I have a right to say what I stated in this House as to what my wishes were in regard to that Bill. I feel, at the same time, that my hon. Friends did their duty well and nobly in endeavouring, with hope against hope, to obtain an amendment of that Bill; and I feel that if the eyes of the Government had not been judicially darkened, they would have seen in the suggestions of my hon. Friends multitudes of occasions for making that Bill what it is not now—a Bill for the prevention of real crime in Ireland. I have put down a list, as I could gather them, of the votes I have given and speeches I have made in connection with this Bill during the past week, and I find, Sir, that, on Friday, during the time previous to my suspension, out of the whole 13 Divisions taken on that day I was present at only four. I find, Sir, that among the Members who voted with me on those occasions, and who were not suspended, were—I take the names from the lists of the House—Mr. Cowen, Sir Wilfrid Lawson, Mr. Errington, Mr. Labouchere, Mr. M'Laren, Mr. Jesse Collings, Mr. Broadhurst, Mr. C. Russell, Mr. Caine, Mr. Brooks, Sir David Wedderburn, and Sir Patrick O'Brien. Those hon. Members were among my Colleagues in some or all of the Divisions; and when I said I had been "foully suspended," I referred to the distinction then made between Irish and English Members by the Chairman. Not a single one of the English Members who went with me on those occasions through the Lobbies was suspended by the Chairman of Committees; and I venture to say, Sir, that the records of the Divisions will prove that hundreds of English Members have voted as often and more often than I upon this subject; and those English Members had not the excuse I had, that I was standing up for the liberties of my country. I might also say, in further explanation of the statement that I was "foully suspended," that I find the name of a distinguished Irish Member, a true and sterling Irishman, who, however, sits on the Liberal side of the House—I mention the hon. and gallant Colonel who sits for the County of Galway—as voting—and to his honour be it said — some 13 times against Government during that Friday night, and some 32 times in all against Her Majesty's Ministers, and in furtherance of that purpose which is falsely described as Obstruction in other Irish Members. All honour to that gallant Colonel who sits for the County Galway. But why those foul distinctions? With regard to my votes on Thursday, I voted only six out of nine times, on Wednesday only once —I am not aware how many Divisions took place on that day—and on Tuesday only twice in eight Divisions; and I say again that there are hundreds of English Members in this House who voted far oftener than I did. With regard to my speeches, in almost all cases, the observations that I addressed to the Committee upon the clauses before the Chair were strictly observations of a conversational and brief description according to the special and recognized manner of addresses that ought to be used in Committee. So far from obstructing the Committee by lengthened speeches, five out of six were half-a-minute or one-minute or two-minute observations, in answer to direct provocation coming from the Government, and especially from the Home Secretary, who was always ready to break out into invective against the Irish Members and their country. It was against those speeches of the right hon. and learned Gentleman, who was always ready to make them, whether relevant or irrelevant, that I several times addressed the Committee. The right hon. and learned Gentleman was the *agent provocateur* of the Treasury Bench, and it was against him that on Friday I made a couple of short observations and one lengthy speech. But that lengthy speech was on a most important question, the question of exempting certain districts and certain individuals from charges for extra constables and from the blood tax, matters of the utmost importance, on which I conscientiously did my utmost to make my meaning clear, and in which I did not repeat a single observation. On Thursday, I made a couple of brief observations by may of protest to the offensive remarks of the Home Secretary, who, instead of addressing himself to the Question before the House, accused the Irish Members in so many words of opposing the Bill out of sympathy with crime. In reply to that charge, I compressed my observations into the smallest possible compass. I also addressed a few words to the Committee in answer to the observations of the right hon. and learned Member for the University of Dublin (Mr. Gibson), who spoke of the soil of Ireland as wet with innocent blood. It is not for me to deny that unhappy fact; but I felt it my duty to state that other lands were also wet with innocent blood, and that against them no extravagant measures of coercion were proposed. I expressly mentioned on that occasion the discovery on that day of some more corpses in the River Thames as a reason why—["Question!"]—these continual taunts should not be addressed to Irish Members. My replies were in each case couched in the fewest possible number of words. During the whole debate upon Wednesday I did not utter a single word; and on Tuesday I asked a couple of questions, and made a five-minute speech. That is the whole of my contribution to debate during the past week. To complete my explanation, I will state that one series of observations were of the most necessary kind. Sir, there was an Amendment before the House for the purpose of introducing a certain reform in the Bill. ["Question!"]

MR. SPEAKER: I have not thought it right up to this moment to interpose, because I am quite aware that the House is always ready to extend its indulgence to any Member whose personal conduct is under consideration. I am bound to say that the hon. Member is drawing very largely upon the indulgence of the House.

MR. O'DONNELL: I understood that I was Named, and, as I said, foully Named, on the charge of cumulative Obstruction.

MR. SPEAKER: The question of the hon. Member's being Named is not now the Question before the House, and it is only in consideration of the personal position of the hon. Member before the House that I have allowed him to refer to these matters. I beg, however, to say that the Question before the House is the conduct, not of the Chair, but of the hon. Member for Dungarvan.

MR. O'DONNELL: I was explaining nothing, Sir, but the identical words used, which were not the words imputed to me. That is what alone I was doing, and, Sir, having stated that, I not only stated that I had been absent all night, and had been foully Named as guilty of Obstruction, but I also said that a certain statement that had fallen from the Chair was an infamy. Sir, the charge against me is that I asserted that the action of the Chair was an infamy. I said that a certain statement was an infamy. Was that statement the statement of the Chair? Sir, I was sitting in the House when I saw the Chairman of Committees apparently take up a paper, which I presumed had been prepared for him, and read from that paper a number of statements relating, among other things and other times, to facts and times when he (the Chairman) was not in the House. Sir, Mr. Lyon Playfair did not, in relation to these facts and to these times, act on his own personal knowledge, but on what had occurred when he was not in the House. He acted on the faith of reports which were made to him, and the statement embodying those reports, which were false reports, was the statement that I characterized as an infamy. Sir, in particular reference to the clause under consideration, the Chairman spoke of the 19 hours that had been occupied, and stated that during those 19 hours and at other times a limited number of Members had systematically frustrated the progress of Business by proposing Amendments, some of which were practical and fair, but of which by far the greater number were only intended to raise by new forms questions which were already decided by large majorities. Those Amendments had been made the occasion for endless arguments, and were evidently framed to waste time. Sir, with regard to a large portion of the conduct and arguments referred to by Mr. Lyon Playfair, Mr. Lyon Playfair was not in the House at the times referred to, and I characterized that statement as an infamy. And I challenge any proof on the part of the authors of those reports to show cause why they should not be censured by this House for falsely and feloniously misleading a high official of the House. ["Order!"]

MR. SPEAKER: If I understand the argument of the hon. Member correctly, it is to this effect—that while in the Committee he used the words infamy as applied to the Chair, he now proposes to strengthen that argument by the assertion that his conduct was false and felonious. I am bound to ask for an explanation from the hon. Member. If I take a correct view of what he said I shall call upon him for an apology to this House.

MR. O'DONNELL: Sir, you have entirely understood my argument as the very thing that it was not. I am asserting now, and I meant to convey then, that false reports had been submitted to the Chairman of Committees, and that those false reports misled the Chairman of Committees. [*Cries of* "By whom?"] Most probably by Her Majesty's Government. [*Cries of* "Order!" *and* "Name!"]

MR. SPEAKER: The indulgence which has been given by the House to the hon. Member has been very great, and I feel bound to say now that that indulgence cannot any longer be extended, and I shall call upon him to keep close to the Question before this House, which is his own conduct, and not the conduct of the Chairman.

MR. O'DONNELL: I have just stated that my whole conduct consisted in characterizing as an infamy the false reports submitted to the Chairman. Sir, I studiously decline to characterize the share in the proceedings taken by the Chairman of Committees when I made that statement, which was addressed—and which was only part of the statement which was addressed—personally and directly to the Chairman of Committees —namely, "You sin against all the traditions of your Office." With regard to my assertion, to my statement, to my solemn declaration—for I wish it to be understood that I made it in all solemness and earnestness—that that statement which had been read to the House was an infamy, I meant and mean to include within that solemn declaration the cowardly inciters to the force and tyranny which were practised against the Irish Members last Saturday, and I name Her Majesty's Government as the guilty authors.

Mr. SPEAKER: The conduct of the hon. Member is now under the consideration of the House, and, according to the usual practice, the hon. Member for Dungarvan will withdraw.

Mr. O'Donnell thereupon withdrew from the House.

Mr. LYON PLAYFAIR: Sir, I do not intend to take any part in the debate before the House. I simply wish to give it what I hope will be an impartial narrative of what took place with a view of guiding the decision of the House; but I think I may be permitted, in the first place, to answer the statement which has been made by the hon. Member for Dungarvan with regard to the false reports which are said to have been given to me by the Government. I may state that the whole responsibility for the action taken on Saturday last rests with me alone. No one single Member of the Government knew the action I was about to take. I did not mention it to a single Member of the Government, or to a single Member of the Opposition; and whatever responsibility attaches to that action is due to me alone. There were no reports of any kind made to me. I judged by the evidence before me, and acted upon it. I wish simply to give a narrative of the facts. There had been protracted discussions on the 17th clause. Of those protracted discussions I took a view quite different from that which existed in the mind of the hon. Member for Dungarvan. I wish to state this difference, because I think it constitutes a large instigation of what he has said. To my mind, these protracted discussions gave the evidence that what I considered Obstruction was increasing, while the hon. Member for Dungarvan believed that my Naming him was on account of protracted discussions on that clause; and he, feeling that he had not taken an active part in them, thought the action of the Chairman in Naming him was unjust. Well, I felt at the time that he used those words that I was sorry to be obliged to consider it my duty to report the direct attack which he made upon the Chair, because I was quite convinced he used those words in great heat and while labouring under a sense of injustice, and under a misapprehension of the action I had taken. I can assure the House, to which is left the decision of this case, that it was with great pain that I felt I was obliged to report them to the House, and that no effects remain in my mind except the regretable incident that had occurred, and that it was a necessity of my Office to make a report to the House of the transaction which had occurred.

Mr. LABOUCHERE said, he rose to submit an Amendment to the House. He did not think that anyone could complain of the tone which had been adopted in this matter by the Prime Minister, who had expressed his regret at having to make this Motion, and only made it because, as he said, the hon. Member for Dungarvan preferred to explain his conduct after rather than before the Motion was made. He thought that, after the explanation of the hon. Member for Dungarvan, the House ought, to a certain extent, to modify the conclusion at which it had previously arrived with reference to the conduct of that hon. Member. [*Cries of* "Oh, oh!"] He respectfully asked hon. Gentlemen to preserve a judicial composure. For his own part, he should not have used the word "infamy;" but hon. Members must always remember that that House was composed of English and Irish Members—[*Cries of* "And Scotch Members."]—yes, of course, and Scotch Members. The Scotch were even more cautious than the English in the use of words, and Irish Members were not always so cautious as the English. When, therefore, Irish Members used words, they did not always use them in the sense in which the English and Scotch might apply them. They must always take the most moderate view that could apply in judging of their language; and upon consulting *Webster's Dictionary*, which was, he believed, a very high authority on the English language, he found that "infamy" was defined as "something held in abhorrence." Doubtless the hon. Member for Dungarvan had held in abhorrence the conduct of Her Majesty's Government on Saturday last, and had used the word "infamy" in reference to their action; but that was a very different thing from deliberately insulting the Chair. [*Cries of* "Oh!" *and* "Divide!"] He would point out another reason why they should look fairly — [*Cries of* "Oh!" *and* "Order!"] If hon. Members chose to interrupt him in that way he could waste an hour, and he told them that he meant to speak. He confessed that he entirely agreed with the Prime Minister that the word "infamy" was unsuited to debates in that House; but a precedent had been set for the use of the word by a most respected Member of the Conservative Party (Mr. A. J. Balfour), who, a few days ago, had characterized the transaction known as the "Kilmainham Treaty" as being unexampled in its infamy. He would only point out to the House that the hon. Member for Dungarvan, under what the Chairman of Committees had very honourably to himself admitted was great provocation, used words which were used by an English Member a few days ago towards those Gentlemen whom on this side of the House they must respect without his being called to Order by the Chair, or without a protest from any Member. In these circumstances, it seemed to him they ought to temper justice with mercy; and that it would be desirable, instead of taking the words of the Resolution of the Prime Minister, to leave out all the words after "that," and substitute these words—

> "The Chairman of Committees having Named Mr. O'Donnell for obstructing the Business of Parliament, he being absent from the House during the greater part of the Sitting during which the alleged offence was committed, and not having previously received any warning from the Chair, this House is not prepared to take notice of the language imputed to the hon. Member, and passes to the next Order of the Day."

Mr. CALLAN seconded the Motion.

Mr. GLADSTONE: I am not sure that I am in Order in asking permission to refer to the terms of the hon. Member's Amendment before it is put from the Chair, but the question I wish to put upon it is—[*Loud cries of* "Order!" *amid which the right hon. Gentleman resumed his seat.*]

Mr. SPEAKER: If, as I understand, the right hon. Gentleman is rising to a point of Order, he is entitled to put a question to the Chair.

Mr. GLADSTONE: I do rise to a point of Order. The question that I wish to put to you, Sir, is whether this Amendment does not introduce, as part of a subject-matter for the consideration of the House on this occasion, the conduct of the Chairman of Committees, and if it does, then whether the Amendment is within the scope of the debate?

Mr. SPEAKER: This Amendment does by implication, if not directly, call in question the conduct of the Chairman of Committees, and in that sense, no doubt, it is out of Order. It is out of Order—first, because it is scarcely relevant to the Question before the House; and, beyond that, it is out of Order because it raises substantially the same questions that are proposed to be raised by the hon. Member for Newcastle (Mr. Joseph Cowen) and, I think, the right hon. and gallant Member for the Wigtown Burghs (Sir John Hay). I could not, therefore, put this Amendment as it is now framed.

Mr. LABOUCHERE: I am quite ready to leave out any portion of it that may be ruled out of Order.

Mr. GORST said, that he should not proceed with the Motion relative to this matter which stood upon the Paper in his name, but desired to give Notice that on a future day he should move a Resolution to the effect—

> "That this House is of opinion that in any case of Obstruction, it is the duty of Mr. Speaker, or the Chairman of Ways and Means, to Name every Member separately at the time that it takes place, and that the conduct of the Chairman of Committees in Naming collectively a number of Members, some of whom were absent, without notice, and without specification of the offence of each Member, is not warranted by the Standing Order of February 22, 1880, is subversive of freedom of debate, and deserves the censure of this House."

Sir STAFFORD NORTHCOTE: Sir, the House is, I think, placed not only in a painful, but in a somewhat embarrassing situation by what has occurred in this case. In the first place, it is placed at a great disadvantage in consequence of the ordinary course not having been pursued on this occasion. According to ordinary precedent, the hon. Member for Dungarvan (Mr. O'Donnell), having been notified that his conduct on Saturday last would be brought under the consideration of the House, and having received from the Notice placed upon the Table the fullest information as to the nature of the charge made against him, should have made such a statement, or given such an explanation, or made such an apology as he might have thought right before the House proceeded to consider his case, which it would then have been able to do with the advantage of knowing what the hon. Member had to say upon the subject. I greatly regret that the hon. Member for Dungarvan has not thought it right to take that course on the present occasion. The matter has, however, been so far met by the Prime Minister, who, rising and speaking on behalf of the House generally, clearly and distinctly explained to the hon. Member what the charge against him was, at the same time stating what his views on the subject of that charge were. That charge having been in no way met or answered by the hon. Member for Dungarvan, the Prime Minister considered it to be his duty to submit to the House a Motion of Censure upon the hon. Member. That Motion having been made before the explanation of the hon. Member for Dungarvan, we have now to consider what that statement of the hon. Member amounts to. As far as I can understand it, the hon. Member has given us some explanation of the circumstances under which he used the words attributed to him; but he has not in any way withdrawn those words or apologized for them. To a certain extent, he has endeavoured to alter the charge against him—that is to say, he states that he used the words in question in reference, not to the conduct of the Chairman of Committees, but of someone else, by whom he said the Chairman of Committees had been misled. The hon. Member, therefore, contends that he meant to offer no insult to the Chairman of Committees. Still, I must say, notwithstanding this explanation, that the language of the hon. Member, whatever may be the allowance that may be made for him in the circumstances in which the words were used, was not such as was consistent with the Rules of Parliamentary debate. It does seem to me that, having regard to the fact that we must maintain the authority of our presiding Officers in the very difficult and arduous duties they have to perform, the House ought to mark its determination to support its Officers in such circumstances as those now under the consideration of the House. The questions raised by the hon. Member opposite, and by my hon. and learned Friend the Member for Chatham (Mr. Gorst), are questions which, no doubt, ought to be brought forward and considered, and are matters upon which we shall have to pronounce an opinion in proper time; but, looking at the circumstances of the case, the question now for consideration is the propriety or impropriety of certain words used by an hon. Member which have not been withdrawn, and for which an explanation has been offered which, to my mind, does not remove their objectionable character. These words stand before us, neither withdrawn nor apologized for, and it does seem to me that the House is left without an alternative in the matter.

Mr. LABOUCHERE: I presume, Sir, that my Amendment will be considered in Order if I take out, as I have done, the words which you hold to be objectionable?

Mr. SPEAKER: The hon. Member is bound to confine himself to the Question now before the House.

Mr. JOSEPH COWEN said, he wished to submit an Amendment to the Resolution of the Prime Minister, the object of which was to delay taking action in the matter. He did this because the Amendment of his hon. Friend the Member for Northampton could not be put. He did not ask the House to pronounce any opinion on the language of the hon. Member for Dungarvan (Mr. O'Donnell). They could not fairly do it, as they had not before them the circumstances under which the words were used, and the Speaker would not allow them to refer to proceedings that had taken place in Committee, and had prompted the expressions complained of. For his own part, he never joined in any course of procedure that would conflict with the Rules of the House, or even strain them. He thought if a man became a Member of an Assembly he was bound to comply with the conditions of membership. It was folly for him to kick against their Regulations. If he could not comply with them, he had no right to enter. He had always, therefore, while he had been in that Chamber, refused to take part in any doings calculated to bring its proceedings into disrepute. He did not believe either that strong language was necessary to enforce strong opinions. It was possible for a man to entertain the most advanced views, and to put them before opponents in words that need offend no one. Invective need not be vulgar. He said this, not because he was passing censure upon the observations of his hon. Friend the Member for Dungarvan, but to guard himself against any supposed or implied sympathy with personalities or offensiveness in discussion. But, having said it, he wished to add that language quite as strong as ever was used by the hon. Member for Dungarvan had been used in that House and passed unnoticed. There was a memorable occasion when the Prime Minister of the day had been accused of forming an "infamous coalition." Mr. Martin, a Member of some importance in his time, called Mr. Wilkes a "cowardly scoundrel," and was not reproved for it. Mr. Duncombe described the conduct of Mr. Gouldburn towards the late Lord Durham as "base and cowardly," and he was upheld in the use of these words by the House. Many other instances might be cited; and, therefore, it was incorrect to say that language quite as strong as that attributed to the hon. Member for Dungarvan had not been used on other occasions under excitement and pressure, and had gone unchallenged. [*Cries of* "Divide!"]

MR. HEALY begged to draw the attention of the Speaker to the conduct of the hon. Member for Gateshead (Mr. James). He asked if it was in Order for the hon. Member to act as the leader of a number of other hon. Gentlemen in creating a disturbance while the hon. Member for Newcastle was speaking?

MR. JOSEPH COWEN, continuing, said, the subject had been so hedged round with restrictions by the Speaker that it was impossible to discuss it adequately. The House could only fairly consider the force of the observations of the hon. Member for Dungarvan when they were able to debate all the circumstances that led up to it, and the action of the Chairman which called forth the offending expression. As they could not do this, any lengthened debate would not only be useless, but impossible. The object of his Amendment was practically to adjourn the consideration of the question until such time as the conduct of the Chairman of Committees could be brought under review. He had given Notice of a Motion to effect this, and he invited the House to withhold their condemnation of the hon. Member for Dungarvan until that more ample debate took place. He, therefore, begged to move as an Amendment—

> "That this House is not prepared to take notice of the language imputed to Mr. O'Donnell, and passes to the next Order of the Day."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is not prepared to take notice of the language imputed to Mr. O'Donnell, and passes to the next Order of the Day."—(*Mr. Joseph Cowen.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. PARNELL: I had intended, Sir, to have moved an Amendment of almost the same character as that which the hon. Member for Newcastle (Mr. Joseph Cowen) has just moved. It runs in these words—

> "That this House declines to express an opinion with regard to the conduct of Mr. O'Donnell until it has been afforded an opportunity of expressing its opinion upon the Notice of Motion relating to the suspension of Members standing in the name of Mr. Cowen."

Now, Sir, I submit for the consideration of the House that we approach this question under circumstances of very great difficulty. Owing to the ruling which you, Sir, have felt it necessary to give, we are not entitled to discuss the antecedent conduct of the Chairman of Committees in reference to the question of the suspension of the hon. Member for Dungarvan. I cannot help saying that it is necessary for us to look at this transaction as a whole, and to consider the action of the Chairman of Committees on Saturday morning under circumstances which are well known to the House. But I cannot see how we can possibly discuss the question of the suspension of my hon. Friend unless we are allowed to discuss the whole question. The Motion made with regard to the words alleged to have been used by my hon. Friend is undoubtedly one of great importance; but so, also, is the Motion which stands in the name of the hon. Member for Newcastle. If the hon. Member for Dungarvan used the objectionable words, it is quite right that they should be brought under the notice of the House; but the hon. Gentleman has practically raised a two-fold defence. He denies that he used the words complained of in reference to the Chairman of Committees, and he justifies the use of these words, not against the Chairman of Committees, but against Her Majesty's Government, by reason of the events which followed. It is, therefore, impossible for us to discuss this matter satisfactorily or fully unless we are allowed to take the question as a whole, and to inquire into the very grave action of the Chairman of Committees on Saturday morning last. It is all very well to talk of the action taken against a section of Irish Members. You must recollect that the day may come when the Oppositions in this House—when even Her Majesty's Opposition—may be as few in number as the Irish Members are now, and when you may regret that you have lightly sanctioned proceedings against Irish Members, and created precedents which will undoubtedly be used against English Members afterwards. I can call to mind many reforms which have been obtained in the history of England and in the House by the stubborn action of minorities as small as, and even smaller than, the minority which was suspended on Saturday morning last. Without discussing the question whether the Chairman of Committees was justified or not, but merely observing that a Motion stands on the Order Book of the House impugning his action, I maintain that the suspension of 25 Members was a very much graver occurrence than the words attributed to the hon. Member for Dungarvan. The deprivation of the Constitutional rights of 25 constituencies by the action and at the will of an Official of the House in a manner unprecedented in the history of Parliament —["Order!"]

Mr. SPEAKER: The hon. Member is aware that I have already ruled that the conduct of the Chairman cannot be discussed upon the Motion now before the House, and I am sorry to observe that he has not attended to my ruling.

Mr. PARNELL: I do not wish to discuss the conduct of the Chairman; but I think that before we finally discuss the Motion with regard to the conduct of the hon. Member for Dungarvan, we ought to have a discussion of the Motion of which my hon. Friend the Member for Newcastle has given Notice. I do not wish in the slightest degree to say whether the conduct of the Chairman of Committees was right or wrong; but I wish to impress upon the House the difficulty of discussing the question now before us until we have had an opportunity of discussing the Motion of the hon. Member for Newcastle. Before the House is invited to come to a conclusion on the conduct of the hon. Member for Dungarvan, we should have before us the whole question of Saturday morning's suspension, although now I do not wish to impugn the conduct of the Chairman on the present occasion. I respectfully submit, however, that I am entitled to point out that the action of last Saturday morning was of a very grave character. ["Oh!"] Yes; I say it was an occurrence the gravity of which cannot be over-estimated; and we ought to have a speedy and early opportunity of discussing the Motion standing in the name of the hon. Member for Newcastle. I wish to ask if the Government does not think that that Motion, and several other Motions of a similar nature now standing upon the Notice Paper, should not be discussed before we are asked to give our decision on the conduct of the hon. Member for Dungarvan?

Mr. SPEAKER: The hon. Member for the City of Cork is not confining himself to the Question before the House, but is anticipating discussions that may arise on other Motions, and he is not entitled, as he knows perfectly well, to do so.

Mr. PARNELL: What I wish to explain to the House is, that I think we ought to have an opportunity of discussing the Motion of the hon. Member for Newcastle before we finally dispose of the Motion before the House. I am not expressing any opinion as to whether that Motion is right or wrong; I am simply saying that it involves questions of a very grave character which we ought to have an opportunity of discussing before we proceed with the discussion of the Question immediately before the House. I do not see how it is possible to arrive at a just conclusion upon the Motion of the Prime Minister unless we can discuss that question as a whole. You, Sir, have ruled that it cannot be discussed as a whole. I therefore ask the Prime Minister whether he does or does not think it desirable that a Motion of the character of that of the hon. Member for Newcastle should remain upon the Paper *sine die* without some full, fair, and free opportunity of discussing it? That is simply my position; and it is one which will recommend itself to the judgment of many Members of the House. With reference to the original question contained in the Motion of the Prime Minister, I wish to point out that since my hon. Friend the Member for Dungarvan has been directed to leave the House, the Chairman of Committees has made a statement of an important character, which my hon. Friend has not been able to hear. That statement was to the effect that the hon. Member for Dungarvan was mistaken in imputing to the Government certain reports upon which he had acted, and that he had acted entirely on his own responsibility. It is just possible that if my hon. Friend had had the opportunity of hearing that statement he might have been able to make such an announcement to the House as would have altered the view it takes of his conduct; but, not having heard the explanation of the Chairman, the Motion has been made that my hon. Friend be suspended for 14 days, thus depriving his constituents of his services for that period at a most critical period in the history of Ireland; and I shall hope that the Government will allow the matter to stand over until we have had the opportunity which we desire of discussing the general question, because without such an opportunity I feel that we could not fairly deal with the Motion before the House. Therefore, for this reason, I shall support the Amendment of my hon. Friend the Member for Newcastle, because it will give an opportunity of discussing the question as a whole, and enable me and my hon. Friends to take such a course as we think right. Unless the question be discussed as a whole, no decision of this House on the conduct of the hon. Member can be regarded as satisfactory.

SIR JOHN HAY: I shall not detain the House, Sir, for more than two minutes. Many hon. Members who are now in the House were not present when the hon. Member for Dungarvan (Mr. O'Donnell) used the words imputed to him. I was present, Sir, 14½ hours, and saw and heard all that took place. I proceeded, soon after the 16 Members were Named to the Committee, to remonstrate with the Chairman for having included in the list of Members suspended the hon. Member for Kilkenny (Mr. Marum), for instance, who had only said a word or two during the whole night's Sitting. While the Chairman was reading over certain names previous to the division, the hon. Member for Dungarvan (Mr. O'Donnell), in an unintentional manner, uttered the words, "It is an infamy." I did not consider that the words were addressed to the Chairman at all. If I had thought he had used the words with reference to the conduct of the Chairman, I should certainly vote for the Motion now before us; but having been present, and having heard what took place, and for other reasons, which I am not allowed to allude to now, I shall support the Amendment of the hon. Gentleman the Member for Newcastle.

DR. COMMINS said, he felt that he was in a somewhat similar position to the hon. Member for Dungarvan, having been, in his opinion, suspended without having in any sense resorted to Obstruction. He quite agreed with the statement just made by the right hon. and gallant Member for the Wigton Burghs (Sir John Hay), who said the words used by the hon. Member for Dungarvan were not applied to the Chair at all. The face of the hon. Member was turned entirely away from the Chairman, and the remark that escaped him was made more in communing with himself than to anyone near him. He would, therefore, support the Amendment of the hon. Member for Newcastle, because that should be first discussed before they should be asked to give their decision with reference to the conduct of the hon. Member for Dungarvan. The sentence proposed was a severe one, and in order to avert it he should support the Amendment.

Mr. ARTHUR O'CONNOR said, he trusted that the House would listen to a few words from some of the Members on the Home Rule Benches with reference to the Motion that had been made as to the conduct of the hon. Member for Dungarvan. That House was not fit to judge of the conduct of any man if it lost its patience. As a rule, the House was anxiously indulgent to any of its Members whose conduct had been impugned by the Government, and which, if proved, involved penal action. He hoped the House would not lose its character in that regard. They had just heard the Report of the Chairman of Committees. The entry on the Minutes made by the Clerk was to the effect—

> "Mr. Playfair reported to the Speaker that Mr. O'Donnell, sitting in his place, insulted the Chair by saying that the action taken by him was an infamy."

His hon. Friend the Member for Dungarvan had been asked to offer an explanation of his conduct to the Chair. His hon. Friend had explained. He had repudiated the words imputed to him, and no confirmation had been brought forward of those words having been used. He had heard the actual words of the hon. Member, and he could say they were not the words ascribed to him. A Predecessor of the Speaker in the year 1870 — Sir Frederick Norton — in that year used certain expressions derogatory of the character of an hon. Member, and Mr. Cornwall desired the words to be taken down. There was a general conversation at the time, and as there was a dispute about the words, Lord North said the words should be erased. The expressions complained of were—

> "When I expected candid treatment from that Gentleman I was mistaken, but I do not now expect candour from that Gentleman."

What did the Speaker do on that occasion? The Speaker rose and said, as the words had been reported to be erroneously entered he allowed an alteration. There had been a dispute about the words used in this case. It was denied that the hon. Member for Dungarvan had used the words in the sense stated, and therefore the record should be corrected. The hon. Member did not say that the action taken by the Chair was an infamy. What he said was that the report made was an infamy. They had now heard for the first time that the names of the Members to be suspended had been handed by the Chairman to the Secretary of State for War, and that was the same paper which the Chairman had originally in his hand. The Home Rule Members had seen the paper passed to the Secretary for War, and they saw it brought into the House and given to the Chairman of Committees before it was used. Under the circumstances, the hon. Member for Dungarvan said he had been unjustly suspended. He was precluded from doing justice to the merits of the case by the Rules of the House; but he thought they were perfectly entitled to say, under the circumstances, that they should not pursue the discussion any further, inasmuch as the hon. Member for Dungarvan had not had a fair opportunity of vindicating his conduct. He would only add that whatever vote the House might give he, for one, would not consider that it put any slur on the hon. Member for Dungarvan.

Mr. HEALY asked whether he should be in Order in moving to amend the Amendment by omitting all the words after the word "O'Donnell," and inserting—

> "Until there has been an opportunity afforded to the House to express its opinion on the Notice of Motion relating to the suspension of Members, standing in the name of the hon. Member for Newcastle?"

Mr. SPEAKER: The hon. Member would not be in Order in moving an Amendment to an Amendment. If the Amendment of the hon. Member for Newcastle became the Main Question, then it would become open for him to do so.

Mr. HEALY wished to know whether, in the event of the Prime Minister's Motion being carried, the suspension would come within the terms of the Standing Order of February, 1880, which provided that if a Member was suspended a third time, he should be suspended from the service of the House during the remainder of the Session? He presumed he would have an answer to that question from some Member of the Government. With regard to whether the hon. Member for Dungarvan was justified or not in applying the term "infamy" to the action of the Chairman, he thought if the hon. Member for Dungarvan expressed that opinion he had good grounds for it. He presumed from the course taken by the Prime Minister that he thought the crime of saying that the Chairman of Committees was guilty of an infamy was adequately met by suspension for 14 days. He thought, however, it might be argued that if his hon. Friend was not justified in using the word "infamy," the punishment proposed by the Prime Minister might be deemed inadequate. Was it in accordance with the dignity of the House that there should be a graduated scale of rewards and punishments for actions done inside the House? One hon. Member got 14 days for saying that the action of the Chairman was infamous, while another obtained a Baronetcy for supporting Her Majesty's Government. He protested against this system. If the offence of his hon. Friend the Member for Dungarvan was a grave one, he did not consider that 14 days' suspension was an adequate punishment for it. [SIR FREDERICK MILBANK: Move six months.] That suggestion proceeded from an hon. Member who had received a Baronetcy for supporting the Government. The remark did not befit an hon. Member who had been rewarded with a Baronetcy for his sustained support of the Government. If the House rose to the height of this great occasion, it would expel the hon. Member for Dungarvan, an expulsion his hon. Friend would consider equally an honour to the House and to himself.

MR. JUSTIN M'CARTHY said, he was afraid that the speech of his hon. Friend the Member for Wexford (Mr. Healy), however well-intentioned it might be, might lead the House to believe that his hon. Friend the Member for Dungarvan admitted using the words attributed to him. The hon. Member had stated distinctly that he applied them to the conduct of the Government, and not to the Chairman of Committees. The question was whether the application of such a term to the conduct of the Government called for the censure of the House. He believed that the word infamy had been often applied to the conduct of Governments, and had not been ruled out of Order.

MR. WILLIS said, he would not have risen to address the House had it not been for the statement of the hon. Member for Longford (Mr. Justin M'Carthy). He was sitting just below the hon. Member for Dungarvan when the hon. Member used the words, which he addressed distinctly to the Chairman. The words were—"It is an infamy. You have sinned (or are sinning) against all the traditions of your Office." Take the words "It is an infamy," together with the context, and it was certain that the words were addressed to the Chairman, and not to the Government.

MR. CALLAN would not have addressed the House but for the statement of the hon. and learned Member who had just sat down. The hon. and learned Member was very excited at the time, and wished to apply Cromwellian action to the Irish Members. The words of the Chairman in announcing the suspensions—["Order!"]

MR. SPEAKER: This question cannot now be discussed. I am surprised at the hon. Member taking the course after what I have stated.

MR. CALLAN said, he had taken the words down at the moment—the words used by the hon. Member for Dungarvan, and they were these—

> "It is an infamy; I have been absent all night, and now I find I am foully Named as being guilty of Obstruction. You sin against all the traditions of your Office."

Question put,

The House *divided*:—Ayes 199; Noes 35: Majority 164.—(Div. List, No. 231.)

MR. SEXTON rose to Order, and asked whether the present suspension of the hon. Member for Dungarvan would be considered as a suspension under the Standing Order of February, 1880, so that if he was suspended for a second time it would be for a week, and if for a third time for the remainder of the Session?

MR. SPEAKER: I have no hesitation in answering the hon. Member's question. The Motion before the House is not made under the Standing Order to which he refers, and therefore it would not apply, and would not be operative under the Standing Order.

Main Question put.

The House *divided*:—Ayes 181; Noes 33: Majority 148.—(Div. List, No. 232.)

Resolved, That Mr. O'Donnell be suspended from the service of the House for the term of fourteen days.

MOTIONS.

PARLIAMENT—ORDERS OF THE DAY.

MOTION FOR POSTPONEMENT.

MR. GLADSTONE: Sir, I rise to move that the Orders of the Day, subsequent to the Order for Consideration of the conduct of the hon. Member for Dungarvan (Mr. O'Donnell), be postponed till after the Notice of Motion relating to the Business of the House (Urgency).

MR. ARTHUR O'CONNOR said, he rose to a point of Order. The First Order of the Day, as put down by the Government themselves, had been disposed of, and he wished to know from Mr. Speaker whether, under the Standing Order of May, 1881, the Motion of the right hon. Member could come on until after the other Orders had been gone through? Of course, the right hon. Gentleman the Prime Minister could have moved his Urgency Motion before the First Order had been disposed of, but he submitted that it was not competent for him to do so now.

MR. SPEAKER: The Order of the Day with reference to the conduct of the hon. Member for Dungarvan was brought forward, and treated as a question of Privilege. When I called upon the Clerk at the Table, I called upon him to read "The Order of the Day with reference to the conduct of Mr. O'Donnell." I did not call on the Clerk to read the Orders of the Day generally, and I adopted that course expressly for the purpose of enabling the right hon. Gentleman in the ordinary way to make his Motion.

Motion made, and Question proposed,

"That the Orders of the Day be postponed till after the Notice of Motion relating to the Business of the House (Urgency)."—(*Mr. Gladstone.*)

MR. HEALY asked whether it was competent for any hon. Member to discuss the Motion?

MR. SPEAKER said, that it would be quite in Order to debate the Motion.

MR. HEALY said, in that case he desired to point out that the Government had not vouchsafed a single argument or explanation in favour of the course proposed to be adopted. It was very desirable, however, that they should have the reasons of the Government for making the Motion. They had heard that the Prevention of Crime Bill was considered to be of such extreme urgency that it was desirable to proceed with it from day to day; but he did not think that the declaration of the Urgency Rules would very much expedite the measure, for the discussion that would ensue must necessarily consume a considerable time. Last year when Urgency was proposed the debate was not very prolonged, for Members from Ireland had been expelled by a very summary procedure. At the present moment the Government had only expelled one Irish Member. A considerable number remained, and by making the proposal for the re-adoption of Urgency in all probability the Crimes Bill would not be expedited. He would like just to point out, too, that the chief questions remaining for the Committee were questions raised by the Government themselves. There were six or seven pages of Amendments down on the Paper, but every one of them was placed there by the Government, and as the extraordinary Motion which was now being proposed was made in reference to matters to which not a single hour's consideration had been given, that was gagging the House in advance. Again, the only discussion that would be necessitated on Report would be a discussion arising out of the conduct of the Government. The Home Secretary, not having sufficient knowledge or information of the subject of which he was left in charge, had almost invariably referred any Amendments that were suggested to Report. What was the result of that? Why, that they did not know whether or not they would have an opportunity of discussing those concessions which had been promised, or of ascertaining if the concessions themselves would be inserted in the form they were led to believe they would be. He held strongly that the Home Secretary did not intend to give the House the exact concession he promised, and that when they came to the Report stage they would find a very different clause to that which was expected by hon. Members generally. So far as he was aware, there was no intention, either on Saturday or in the future, of giving any questions before the House more than a reasonable amount of discussion. But when the Government flourished their Motions like a red flag in the face of a bull, they could not but expect that opposition would be generated. Of course, they were bound to suspect the motives of the Government when they took a course of this kind.

MR. GLADSTONE: Sir, it will be my duty to give my reasons for the course I am now pursuing when I come to propose that Urgency be adopted by the House.

Question put.

The House *divided*:— Ayes 135; Noes 27: Majority 108.—(Div. List, No. 233.)

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY).—RESOLUTION.

MR. GLADSTONE: I rise, Sir, to move the Resolution standing in my name—

> "That the Resolution of the 3rd February 1881, relating to Urgency in the Business of the House, be revived."

I said just now that in making this Motion I should give the reasons on which it is founded; but I shall feel it to be consistent with my duty, and, indeed, imposed upon me by my duty, to state them with the greatest brevity. If hon. Members will have the kindness to follow the few words I am about to say, I think that they will say that our reasons do not stand in need of any explanation. The points which I ask the House fairly to consider are these:—In the first place, the great importance and the character of the Bill for the Prevention of Crime in Ireland; secondly, the fact that the Bill has been for 23 days in Committee of this House; thirdly, the extreme necessity, even were it not in relation to Ireland alone, of proceeding with the consideration of other Business, and especially with the important measure with regard to arrears in Ireland; and in the fourth place, the terrible state of the country, which must fill with horror the mind of every man who can feel himself responsible for interposing one hour's delay in the way of legislation with regard to it. I only add this statement—that I propose this Motion at the present time with respect to Urgency in view of one Bill only, because in respect of one Bill only have I had any proof afforded me that it is necessary. We have already delayed long before making this Motion; and now that it is made, bearing in mind the circumstances and the character of the Motion, I am content, Sir, without length and development of statement, to place my Resolution simply in your hands.

Motion made, and Question proposed,

> "That the Resolution of the 3rd February 1881, relating to Urgency in the Business of the House, be revived."—(*Mr. Gladstone.*)

MR. CHAPLIN said, he would have been content to suffer the Motion to pass without remark if he had clearly understood from the Prime Minister that the Resolution was to be distinctly limited to the Bill for the Prevention of Crime. He thought that they ought to have a distinct understanding from the Government that the Resolution was not to be applied to the Arrears Bill. He considered that the expressions used by the Prime Minister were a distinct menace that under certain circumstances he would admit the plea of Urgency to the Arrears Bill. The right hon. Gentleman said, "At present I only propose to ask Urgency for the Crime Prevention Bill." What was he (Mr. Chaplin) to infer from that? That when the time came for discussing the Arrears Bill, Urgency would be asked in order to pass it at once. That was exactly the ground of his opposition at the present moment. The right hon. Gentleman might wish to apply Urgency not only to the case of the Crime Prevention Bill, but to that of any Bill.

MR. GLADSTONE said, Urgency would only be asked in case of necessity connected with the Business of the House.

MR. CHAPLIN: But what the right hon. Gentleman might regard as a necessity in connection with the Business of the House might be regarded very differently by hon. Members. He certainly, for one, would not consent to a Motion for the Urgency that was demanded now until they had a distinct assurance that it was not demanded on this occasion for the purpose of being applied to a Bill such as the Arrears Bill.

MR. PARNELL said, he begged to move the addition of the following words at the end of the Resolution:—

"Provided, That so much of the Resolution, as requires that the Question be resolved in the affirmative by a majority of not less than three to one, be dispensed with."

The Prime Minister had stated just now that if he found that the Arrears Bill required Urgency, he would make a proposal to extend the Resolution to that Bill, but that at present the Resolution of Urgency was confined to the Prevention of Crime Bill. He begged to remind the Prime Minister that it would not be in his power unless this Proviso were adopted to extend Urgency to the Arrears Bill, because his supporters were not numerous enough to secure a majority of 51 in a House of 300 Members. He proposed to leave the provision, with regard to 300 Members, intact; but he asked the Government to agree to the addition of this Proviso. If the Prime Minister's declaration in reference to the passing of the Arrears Bill were made *bonâ fide*, the right hon. Gentleman would show it by now securing the power to apply Urgency to that measure.

Amendment proposed,

At the end of the Question, to add the words "Provided, That so much of the Resolution, as requires that the Question be resolved in the affirmative by a majority of not less than three to one, be dispensed with."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

Mr. PLUNKET said, that it was a little inconvenient that this process, which would alter this provision, which would altogether alter the character of the Prime Minister's Resolution, should be proposed without any Minister of the Crown being present.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. PLUNKET, resuming, said, he did not suppose that the Government were going to assent to that Proviso, and he merely rose to elicit some information from them on that subject.

Sir WILLIAM HARCOURT said, that nothing could have been more distinct than the Prime Minister's statement that he proposed to revive Urgency in the same form as that in which it was introduced last year. The views of the Government on the subject generally were well known. They did not propose to apply this Rule except on the particular occasion in question.

Mr. T. P. O'CONNOR said, he could not reconcile the statement of the Prime Minister with regard to applying Urgency to the Arrears Bill with the attitude the Government were taking now. With regard to this statement, he would be very much obliged to the Home Secretary if he would inform him how they proposed to carry out this Motion of Urgency? In order to obtain Urgency they would require to have a majority of 3 to 1 in a House of not less than 300 Members; and if the Arrears Bill were put down for Urgency, the House would certainly contain more than 100 Members of the Conservative Party, and, accordingly, they would defeat any attempt on the part of the Government to declare Urgency with regard to the Arrears Bill. It should not be forgotten that last year a proposal to vote Urgency in connection with Supply was defeated by the Opposition. Any attempt to obtain a vote of Urgency for the Arrears Bill would be destined to fail unless a proposal such as that made by the hon. Member for the City of Cork, should be agreed to. He thought that the Government were acting inconsistently with their own professions, and that they would be acting more wisely for themselves, and more in accordance with their promises, if they accepted the Resolution of his hon. Friend that it should be carried by a simple majority.

Mr. NEWDEGATE said, he was the only Conservative Member who voted for Urgency for Supply last year; but he must decline to vote for the Amendment of the hon. Member for Cork City, out of regard to the freedom of the House. In dealing with the rights of minorities they ought to act with the greatest caution.

Sir STAFFORD NORTHCOTE: Sir, no doubt this proposal has been made by the Government in the sense stated by the Home Secretary, and as was stated by the Prime Minister—that is to say, it is a revival of the Rule which, after a good deal of discussion, was adopted in the last Session. It would, of course, be quite unfair to the House if any course were adopted without Notice for a change in that Rule, and I presume the Government and the majority of the House will adhere to the Rule as it was passed. I wish to point out to the House, with reference to what has been said by the hon. Member for Galway (Mr. T. P. O'Connor), that he observed that last year, after Urgency had been voted in the case of one Bill, it was asked for again by the Government for the purpose of facilitating certain Votes in Supply, and it was refused—that is to say, it was not acceded to by a sufficient proportion of the House. I must remind him that the consequence was, not that the measures which were important, and held to be important by the Government, failed; but, on the contrary, we were able to do without what is necessarily inconvenient and altogether abnormal—a condition of Urgency, ; and I feel perfectly sure that the same will be the case in this House on all occasions—namely, when a Resolution for Urgency stands on the Paper; and if an attempt is made to apply it to a measure in which it does not appear to the House to be required, they will resist an infraction on the liberty of debate. It would be a very great misfortune if it were otherwise—and certainly it is one which we ought not to incur without our attention being specially drawn to it—to hand over to the majority for the time being, which may happen to be a very small majority, the power of shutting up the whole freedom of debate in the House. When you have before you a measure which in itself appears to the great majority of the House to be urgent, we are prepared, as we were last Session, and as we should be prepared again, to sacrifice something for the freedom of debate, in order to promote that important measure. This is what is now proposed to be done, and will be done, I understand, with reference to the Prevention of Crime Bill. Of course, the other measures to which reference has been made are not included in this Resolution; but it would be possible, if the House should be convinced at any future time, and the Government were to make the demand upon us for Urgency in regard to any other measure, and if a majority of three-fourths were convinced that that course was necessary, it would be applicable. But we do not anticipate, and I do not understand that the Government anticipate, that anything of that kind is likely to be required, though, if the Government take that course, it would be for the House to say whether or not they would assent to it. I do not understand that we at all sacrifice our liberty, and I myself protest in advance against any Motion that might be made on the part of the Government to apply Urgency where it was not manifestly clear it was necessary. But, in the present circumstances, you have a case of very pressing necessity. The case has been stated shortly by the Prime Minister, and with it everybody is familiar. You have before you a Bill for the prevention of crime and outrages upon Her Majesty's subjects in Ireland; and considering how long that measure has been under discussion, and how long it is still possible, under the ordinary Rules of debate, to keep it from the decision of the House, I do not think that the Government do an unreasonable thing in asking for Urgency for the purposes of that Bill. I feel quite satisfied that the other measures will be advantaged in one respect by the passing of this Motion for Urgency. The Prevention of Crime Bill will be got out of the way sooner than it would be otherwise, and there will be more time for the discussion of other measures; but when we come to discuss those measures, we hold ourselves entirely free to exercise our discretion with regard to the circumstances to be presented to us as calling for Urgency. The Prime Minister is not in his place, or I should have been very glad to take the opportunity of asking him to give us a little more light than he has yet done with regard to the other Business of the House which he is asking us to facilitate. I think, when we are adopting the Rule of Urgency, and acting on Rules for the maintenance of discipline amongst Members, we are in a position to call on the Government, and ask whether it is their intention to proceed with those Rules, and especially one of those Rules which they have laid before us with regard to Procedure? I wish the Government to take notice that we are giving every facility for the conduct of important Business. We are quite sure they are making this demand in thorough good faith, and not intending to make a demand for anything beyond it. But, at the same time, they will observe that we most clearly hold them responsible for making provision in the remainder of the Session for the bringing forward of such measures as it may be necessary still to discuss, and allowing us to discuss them under fair and unrestricted regulations. In proposing that Urgency should be granted, we make a very considerable surrender, not only with regard to the proceedings upon the Bill in respect of which Urgency is asked, but we make a surrender in respect of the powers which we gave to the Speaker to deal with other Business, in order, while Urgency continues, to facilitate the progress of the particular measure in question. For instance, last year, in the Rules the Speaker laid down there was a provision that, so long as Urgency continued, the Motion for adjournment during Question time should be absolutely prohibited unless the House should give assent. We cannot help feeling that at the present time there are circumstances, and there may be other circumstances, which from time to time may render it very necessary for us to introduce, on short Notice, perhaps without any Notice at all, questions for discussion upon matters of the very highest importance; and I think we ought not to be placed in a position in which it would be impossible for us, under the Rules of Urgency, to bring forward questions such as may arise. And I venture respectfully to submit to you, Sir, the importance of making some provision, in any Rules you may lay down, which would prevent the absolute exclusion of matters of prime importance, of pressing and sudden gravity, which may arise during the period that Urgency is still in existence.

Mr. DILLWYN said, he would be very glad to see the Amendment of the hon. Member for the City of Cork carried, because he believed no measure was so deserving of Urgency as the Arrears Bill. At the same time, he hoped the Amendment would not be pressed, as it might look like sharp practice if, as no Notice had been given of it, the House were thus taken by surprise.

Mr. O'CONNOR POWER said, he regretted that he could not agree with the hon. Member for Swansea (Mr. Dillwyn). In the opinion of the Government, both the Prevention of Crime Bill and the Arrears Bill were urgent, though not in an equal degree. The attitude taken by the Leader of the Opposition meant that while the Conservatives were willing to concede Urgency for any amount of repressive legislation, they did not hold out a shadow of hope that in any remedial Bill laid on the Table by the Government they would recognize a measure which was urgently called for by the present condition of Ireland. It had been observed by his hon. Friend who last addressed the House that the hon. Member for the City of Cork had given no Notice of his Amendment. He would remind the hon. Member that the House had been engaged during the last two or three days in doing a great many serious things without any Notice. The real point of the matter was this—was it necessary that the House should declare the Arrears Bill of the Government equally urgent with the Prevention of Crime Bill? He believed, for his own part, that both these Bills were equally urgent, and he felt persuaded that if the Amendment of the hon. Member for the City of Cork afforded the only means of securing Urgency for the Arrears Bill, the Government would let slip an opportunity that would not occur again. He wished to know why the Government were so anxious to shut the stable-door now that the steed had been stolen? If Urgency was necessary to-night, it was necessary on Thursday last; and why did not the Government then ask for it, and avoid the suspension of 25 Members of the House? He thought he was justified in calling attention to that peculiar mode of conducting the Business of the House. As a matter of fact, the Prime Minister had frequently been invited to ask for Urgency, but had steadily refused to do so; and it was not too much to say that up to a certain point the discussion had been encouraged rather than curtailed, and then, without any Notice, the Chairman, who had been watching the proceedings, thought it his duty to suspend 25 Members of the House. It would have been more statesmanlike on the part of the Government if they had shown a little foresight. They were always behind time in asking for repressive measures, and they always hurriedly put the padlock on the door when the steed was 20 miles off. He confessed that, seeing the extraordinary power which the Chairman of Committees and the Speaker were permitted to exercise, he did not see the necessity of Urgency at all. If they had taken measures at the proper time they would have averted the discredit of suspending 25 Members, for it must be a discredit to any Legislature to disfranchise 25 constituencies to obtain several important clauses of a Bill. Now, he could not be accused of assailing the forbearance of the Government. His complaint was that the Government had waited too long, and had then acted hastily and suddenly.

MR. JOHN BRIGHT: Sir, the hon. and learned Member for Mayo (Mr. O'Connor Power) speaks of the word "urgent" as if it had only one meaning. There is no doubt whatever that the Arrears Bill is a Bill, in a certain sense, as respects the permanent interests of Ireland—in fact, probably more urgent than the Prevention of Crime Bill. But as respects the mode of action in the House it is not nearly so urgent; and the urgency with regard to its effect upon Ireland being admitted, I should deny altogether any proved necessity for the claim for Urgency in respect of that Bill in this House. The hon. and learned Member for Mayo, the hon. Member for the City of Cork (Mr. Parnell), and the hon. Member for Galway (Mr. T. P. O'Connor) know the Government is pledged to the course they now ask the House to adopt. The Government could not accept the Amendment, and it would not be fair to hon. Gentlemen on the other side of the House and to the House in general. Will anybody deny that Urgency is required for this particular Bill? The hon. and learned Member for Mayo has spent several minutes in chastising the Government because they did not ask for Urgency at a much earlier period, and he said he should be told the Government were forbearing. But does he, as an Irishman, blame the Government for its forbearance? Surely, it is not a creditable thing in the House of Commons that its ordinary Rules should be suspended, and that Urgency should be required for the passing of a Bill which—what can I say—more than nine-tenths of the House are favourable to. That is not a thing which is creditable; and yet the Government is to be blamed, because it hoped that Irish Members sitting in that part of the House, knowing the condition of their country, would not oppose a Bill that many of them have admitted to be necessary. ["No, no!"] I do not say they admitted that every clause was necessary; but they admitted, many of them—I do not know how many admitted in private—but they did admit in public, that some measure was necessary, with the view of repressing the terrible crimes by which Ireland has literally been disgraced. Surely, Irish Members are not to blame the Prime Minister because he hoped they might take a reasonable view of this question. They have not taken a reasonable view of it. They have, by a most ingenious system, apparently without violating any law of the House, by a small minority, made it impossible to pass this Bill through the House; and, finally, after the scenes of the last few days, it has become necessary to ask for Urgency, and I believe, except that small handful of Members, the House is ready to grant that to the Government. The Arrears Bill consists of very few clauses. If the Government supposed, as well, that that Bill would be received by Members in that quarter of the House with the pertinacious hostility with which they received the Prevention of Crime Bill, then they might find it necessary to ask for Urgency in regard to it. [Mr. T. P. O'CONNOR: But could they carry it?] That is a matter I make no prophecy about. If they would not be able to carry it, it may be an additional reason why they should not ask for it. But let that pass. I judge from the discussion which took place on the second reading of that Bill that there can be no kind of opposition made to it, such as Irish Members have made to the Prevention of Crime Bill. The only difference between hon. Members and ourselves, so far as I remember, was that they objected to public money being handed over to pay arrears, as a gift, and proposed instead that money should be advanced as a loan. But, as we understood, they proposed that the loan should be of such a character that it would require a microscope to discover between a loan and a gift. [Mr. GIBSON: No, no!] The right hon. and learned Gentleman speaks as if he thought I had exaggerated the case, or rather diminished too much the difference between us. However, it is not a matter like this great Bill that we have been discussing. It is a very different question. We have the authority of a laborious Committee in another House, and the authority of Members on this Front Bench, that, in regard to this question, and some matters connected with the land in Ireland, other proceedings and other legislation may before long be necessary. I have, therefore, great confidence myself, much more than I had, in hon. Gentlemen below the Gangway with regard to the Crime Bill. I have considerable confidence with regard to hon. Gentlemen that in the Arrears Bill they will make a fair and a manly opposition to that which they disapprove of, and that they will bow, as we all ought to bow, to the expression of the will of the majority of the House, and that they will offer no factious opposition to the measure. If that be so, and if the Government are of that opinion, they are surely justified in not asking for Urgency. I venture to say that if hon. Members below, who are so anxious for the Bill now, but do not appear to have been the least anxious during the last five weeks—I venture to say that if they will give as steady a support to the Bill as they have given opposition to the Bill now before the House, I am quite sure that, whatever may be the eloquence, or the combination, or the confidence of hon. Gentlemen opposite, the Arrears Bill will not be long in passing through this House, and going to another House, where I hope it may meet with the fortune which we expect for it here. I think the hon. and learned Member for Mayo may be satisfied, from the explanation I have given, that it is impossible for the Government to accept the Amendment of the hon. Member for the City of Cork. It would be breaking off from pledges, and there is no kind of necessity shown to the House, nothing in the conduct of hon. Gentlemen opposite, or in the nature of the Bill, which would justify the Government in departing from the course which they have laid down.

Viscount NEWPORT said, that, in separating himself from his Party on the question before the House, he hoped he would not be suspected of a wish to delay the progress of the Bill; but he did not think, judging from the experience of last year, that the Urgency Rules would really expedite the passage of the Bill through the House, and he thought they were dangerous in principle, as involving the principle of the *clôture*, to which he was strongly opposed. In his opinion, it was unnecessary to enforce such Rules until it became clearly apparent that every existing means for dealing with Obstruction had been exhausted.

Mr. GORST said, it was quite evident that the Government came down with that Motion to the House because they were ashamed of the scene in which they had been engaged. He was sure that an all-night Sitting must have been singularly distasteful to many Members of the Government, and especially to the hon. Member for Liskeard (Mr. Courtney) in his capacity of Secretary to the Treasury, in which he had to arrange the Business of the House. He said that because when an all-night Sitting was proposed by the late Government, the proposal to bring Members in relays was stigmatized by the hon. Gentleman as "rowdyism." The hon. Member for Liskeard was thus obliged to have recourse to a method which he formerly styled rowdyism. Then the Postmaster General, whose general fairness and honour was recognized by all, had in the same Parliament said that the plan of bringing relays of Members was perfectly unconstitutional, and that if the Government introduced relays it would not be only three or four Members whom they would have to meet. Yet the right hon. Gentleman had been driven to sanction what he had formerly called an unconstitutional proceeding. It appeared to him that, although a Liberal Administration had been in Office nearly three years and commanded a large majority in the House of Commons, there had been more infringement of the ordinary Rules of Procedure of the House, and more recourse to methods which they had themselves stigmatized as rowdyism, than during all the previous time that he had been a Member of that House. The Government had come to the conclusion that they could not get their measures through without recourse to the Rules of Urgency, which had before been tried and abandoned. Urgency would not be required if there had been an honest attempt to carry out the Resolutions of his right hon. Friend the Member for North Devon of the 28th of February, 1880. Last year appeals had been made by Members on his side of the House, both above and below the Gangway, to the Chairman of Ways and Means to apply that Order of the 28th of February. But the Chairman persistently denied that he had power to put that Resolution in force for the purpose of putting down Obstruction. Why? Because the Government wished to discredit his right hon. Friend's Resolution as useless and inoperative. Yet they had an all-night Sitting, and a terrible power had been exercised, which the Chairman, and, he believed, the Speaker, believed themselves to possess. If the Chairman and the Speaker had the power of suspending 25 Members in a batch, what necessity could there be for Urgency? The right hon. Baronet's Rule was declared to be feeble, and Urgency was introduced. But now an immense weapon was placed in the hands of the authorities of the House, and he could not understand what the Rules of Urgency were wanted for. Let the measure proceed to a third reading, and if there were any wilful Obstruction, let the obstructing Members be suspended. It appeared, however, from the speech of the Chancellor of the Duchy of Lancaster, that the Government had pledged themselves to the adoption of Urgency for the Prevention of Crime Bill.

SIR WILLIAM HARCOURT: No.

MR. GORST said, he demurred to the right hon. and learned Gentleman's interruption, as he was not in the House at the time the speech was made.

SIR WILLIAM HARCOURT: I understood the hon. and learned Gentleman to state that the Prime Minister had said so. ["No!"] I heard the Prime Minister make a statement on the subject.

MR. GORST asked the Home Secretary to do him the honour to listen to what he was saying. He referred to the Chancellor of the Duchy of Lancaster. He hoped it would be distinctly understood that if Urgency were now conceded, it would be for the purpose of expediting the Prevention of Crime Bill and for that only. Then the Bill would go on smoothly.

MR. R. N. FOWLER said, he joined with the right hon. and learned Member for the University of Dublin in congratulating the Home Secretary upon the patience which he had exhibited in the Parliamentary fight of Friday. Indeed, he might quote the line of Juvenal—"*Si rixa est, ubi tu pulsas, ego vapulo tantum.*" He thought there was necessity for the adoption of Rules of Urgency; but if adopted they ought to have a clear understanding that they should only be put in force during the remaining stages of the Prevention of Crime Bill. After the scenes of Friday and Saturday the Government were justified in their demand as far as the Crime Bill was concerned, because it was the duty of the House to give the exceptional power the Government asked for, in order to carry out the government of Ireland; but that was not the case with regard to the Arrears Bill, which hon. Members on that side of the House would strongly oppose, although that opposition would be strictly fair. [*Cries of* "Divide!"] He had not taken up much of their time on this question, and trusted he should be allowed to hope they would have the opportunity of expressing their strong objection to the Arrears Bill when it came on without being hampered with Rules of Urgency.

SIR GEORGE CAMPBELL said, he rose to make an appeal to the Government, and it was that they would not pledge themselves to confine Urgency to the Bill before the House, but would apply it to other Bills for which Urgency might be requisite. The hon. Member who had just sat down thought that they should meet the opposition to the Crime Bill with Urgency, but, at the same time, thought that any Bill to which he was opposed Urgency was not applicable. Looking at the declarations that had been made by some of the Colleagues of the hon. Gentleman sitting below the Gangway, it seemed to him that it was not improbable that opposition to the Arrears Bill might be carried to a point, he would not say of Obstruction, but to the point of persistent opposition, and that it might be most necessary that Urgency should be applied to that Bill also. He had no hesitation in applying Urgency to the Crime Bill, and as he thought it necessary that the remedial measure which the Government proposed to couple with it should be passed in a reasonable time, he hoped that the Rule of Urgency would be applied to the Arrears Bill also.

Question put.

The House *divided:*—Ayes 41; Noes 184: Majority 143.—(Div. List, No. 234.)

Original Question again proposed.

EARL PERCY said, that there appeared to be great doubt in the minds of many Members of the House as to the purposes for which the Government required Urgency. The Prime Minister and the Chancellor of the Duchy of

Lancaster had given one version of the limits within which this power of Urgency was to be used, from which the Home Secretary could not refrain from expressing his dissent. It was, therefore, most important that the House should have a clear and distinct understanding upon this point. He had hitherto voted in favour of measures to put an end to that which they all deplored—Obstruction in its worst and most violent form—and he was by no means disposed now to refuse to give the Government the power they asked for under the Urgency Rules. It was, however, important that the House should not drift into a position of continual Urgency. He could not forget that last year, no sooner had the House voted Urgency for one purpose than the Prime Minister came down and asked that it might be granted for another. In these circumstances, he thought that the House ought to limit the Motion for Urgency precisely to the measure to which they meant it to apply. He begged to move to add at the end of the Resolution before the House the words, "in reference to the Prevention of Crime (Ireland) Bill."

Amendment proposed, at the end of the Question, to add the words "with reference to the Prevention of Crime (Ireland) Bill."—(*Earl Percy.*)

Question proposed, "That those words be there added."

Sir WILLIAM HARCOURT said, he did not know that the noble Lord was in the House when the Prime Minister spoke, or when the Leader of the Opposition spoke. The right hon. Gentleman opposite, the Head of the Opposition, though he was bound to say he did not always seem to be so regarded by the noble Lord——

Earl PERCY: What right has the right hon. and learned Gentleman to make such a statement? I must ask him to explain.

Sir WILLIAM HARCOURT: It is my opinion, and I am entitled to express it.

Earl PERCY: Explain, explain! [*Cries of* "Order!"]

Sir WILLIAM HARCOURT said, that if the noble Lord had been present he would have known the Leader of the Opposition understood the Prime Minister exactly in the same sense as that which he (Sir William Harcourt) had expressed, and that the Leader of the Opposition had declared himslf satisfied with the Prime Minister's statement. All who had spoken from that Bench had asked the House to agree to a Resolution couched in precisely the same terms as the one which had been agreed to last year. True it was that this declaration of Urgency was asked for generally; but Her Majesty's Government had stated that they, on the present occasion, intended only to apply it to this Bill, because they did not contemplate that obstruction would be offered in respect to any other Bill. In asking for this power exactly as it was granted last year, it was only intended at present to apply it to the Prevention of Crime (Ireland) Bill. That was the statement made by the Chancellor of the Duchy of Lancaster and by himself, and he understood that was perfectly comprehended by the Leader of the Opposition, and that the right hon. Gentleman was satisfied.

Sir STAFFORD NORTHCOTE: I think, Sir, there ought to be a distinct understanding on this point. When the question was originally referred to by the Prime Minister—I think last week—it was understood that the object in renewing the Motion was to enable the Prevention of Crime Bill to be proceeded with. He proposed to renew the Resolution of last year. What was that Resolution? It was one framed with considerable care, and after a good deal of discussion on Amendments moved by myself and others on this side, so that there might be proper safeguards to the application of Urgency to any particular measure. We understood the object of the Prime Minister, when he introduced Urgency this year, was to get that power which he had last year—that was, the Rule that Urgency might be declared by a separate vote, which would require, not only a vote of three-fourths majority, but also one in a House of 300 Members. We also had a clear understanding from the Government in making this proposal that it was their intention to ask that the Rule should be granted for this particular Bill only. Of course, we were aware that if we gave the Rule in the same terms as that of last year it would be competent to the Government, if occasion arose, to propose it for anything else; but then they would have to run the gauntlet, and take their chance of securing a three-fourths majority. The Government did commit the gross indiscretion last year to ask for this power in respect to Supply, and the House did not assent to it; and I feel sure that if they were to ask for it in regard to a measure in reference to which we thought there would be no necessity for it the same result would follow. My noble Friend (Earl Percy) wishes to limit the Resolution to the present Bill. We must bear in mind that the Government this evening loyally stood by the proposal to limit the Resolution to the form which it took last year by rejecting the Amendment of the hon. Member for the City of Cork (Mr. Parnell). We must remember that if that objection had been accepted we should have been placed in an extremely difficult and humiliating position. We should then have found that the great safeguard of three-fourths majority was struck off, and that we were at the mercy of the House whenever it chose, by a majority of 1, to adopt the Resolution. I think, therefore, that on this side we are bound by the fairness of what the Government has done. We called upon the Government to adhere to the Resolution of last year, and I think we should have had a right to complain if they had not done so. As regards the particular question of the Arrears Bill, I can only reserve my opinion; but I may say that I do not think the Government will be able to make out a case for the adoption of the Resolution in regard to it. But upon this particular measure we must feel that there is a real necessity for it, and that there is no other way available by which we can so expeditiously pass that Bill. I trust that the House will abide by the form of the Resolution as it was passed last year, so that its scope may be confined to the particular measure now before the House.

MR. DILLON said, he should oppose the vote for Urgency. It should be remembered that that day a Petition had been presented to the House by an influential body elected by the people, praying the House not to expedite the passage of the Prevention of Crime Bill through the House, as it was calculated to create serious danger, not only to Ireland, but to the Empire at large. The House should bear in mind that that Bill was of a more complicated character than the Land Bill of last year, and that the Land Bill had been met with quite as much opposition as the Crime Bill, if not with more opposition. In view of the gravity of the measure, then, before the House, he did not think it was just to take note of the number of speeches and Amendments that had been made, and to propose Urgency on that account.

MR. CHAPLIN said, it was all very well for the Secretary of State for the Home Department to sneer at his noble Friend who proposed this Amendment for not following his Leader, but he would venture to say that that sneer was utterly undeserved. There was not a more loyal supporter of the right hon. Gentleman the Member for North Devon than the noble Lord. He (Mr. Chaplin) was surprised at the expression of the Secretary of State, for, if he remembered rightly, there was no one more singularly deficient in loyalty to his own Leader than was the right hon. and learned Gentleman some few years ago. The right hon. and learned Gentleman had referred to the statement of the right hon. Gentleman the Prime Minister in moving the Resolution. He was present at the time, and the effect produced on his mind was totally different from that stated by the right hon. and learned Gentleman. So much was that the case that he felt bound to rise and ask for some explanation. He understood that the Prime Minister desired Urgency also for the Arrears Bill. If that were so, the Amendment of his noble Friend became doubly necessary; and he could not understand what objection there could be to adopting it. The effect of the Prime Minister's Motion, if it were carried, would be to enable the Government to ask for Urgency on any measure they pleased, while the effect of the Amendment was to limit that application. It was not proposed to alter the form of the Resolution, but to limit that form, so that it should apply only to the Irish Crime Bill, and not to the Arrears of Rent Bill. One supporter of the Government after another had got up and expressed delight at the prospect of getting Urgency for the Arrears Bill. From past experience, he knew how amenable to pressure the Government was; but he hoped that the Rules of Urgency would be strictly limited to the Crime Bill. If, however, the noble Lord went to a division, he should record his vote in favour of the Amendment.

Mr. RATHBONE said, he thought it would be better if the hon. Gentleman who had just sat down would leave the leadership of the Conservative Party in the hands of the recognized Leader. He would remind hon. Members that each fresh application of the Rule would have to be made in a House of 300 Members, and supported by a three-quarter majority; and it was impossible for the Government to get a three-quarter majority without the support of the Opposition.

Mr. R. H. PAGET said, that the Home Secretary had stated that Urgency was asked for generally with a view of applying it to the present occasion. He wished to ask the Speaker if it would be necessary again to obtain a three-quarters majority in a House of 300 Members before the Rule could be applied to any other Bill?

Mr. SPEAKER said, the same Forms would have to be gone through for the purpose of obtaining Urgency for another Bill as were gone through for the first.

Mr. LYULPH STANLEY hoped the noble Lord would press his Amendment to a division, in order to show how many loyal supporters there were opposite of the right hon. Baronet.

Earl PERCY said, that on certain occasions some degree of independence of action was perfectly compatible with loyalty to the Leader of a Party. He asked the permission of the House to withdraw his Amendment. [*Cries of* "No, no!"]

Question put, and *negatived.*

Original Question put.

The House *divided*:—Ayes 259; Noes 31: Majority 228.—(Div. List, No. 235.)

Resolved, That the Resolution of the 3rd of February 1881, relating to Urgency in the Business of the House, be revived.

The Marquess of HARTINGTON: I beg to give Notice, on behalf of my right hon. Friend the Prime Minister, that he will move the second Resolution, "That the state of Public Business is urgent," to-morrow, at 2 o'clock.

Mr. PARNELL: I rise to Order. I wish, Sir, to ask you, whether, as the House has by Resolution given precedence to the Notice of Motion relating to the Business of the House, and has carried the first part of the Motion reviving the Resolution of 1881 as to Urgency, the other Orders of the Day can be proceeded with before the second part of the Motion is moved, as it is part of the Motion to which the House has expressly given precedence?

Mr. SPEAKER: The House has considered the Motion of the Prime Minister, and has disposed of it. It is proposed that the second Resolution should be taken to-morrow at 2 o'clock. That is, therefore, disposed of; and I have now, in ordinary course, to call upon the Clerk to read the Orders of the Day.

Mr. PARNELL: I believe, Sir, you do not apprehend my point. ["Oh!"] It is entirely my fault. The Resolution agreed upon by the House is one giving precedence to the Notice of Motion "relating to the Business of the House (Urgency)." I find that the Motion which stands in the name of the right hon. Gentleman the Prime Minister is headed in this way:—"Business of the House (Urgency);" and, secondly, that that Notice of Motion is divided into two heads—namely, under the first head the revival of the Resolution of the 3rd February, 1881, and, under the second head, "That the state of Public Business is urgent." These are the Notices of Motion to which precedence has been given by the Motion which we have already adopted; and the point I wish to raise is whether, in the event of the right hon. Gentleman postponing the second part of the Resolution, "That the state of Public Business is urgent," the other Orders of the Day can be proceeded with at this Sitting?

Mr. SPEAKER: I have no hesitation in saying that it is quite open to the House to proceed with the Orders of the Day in the usual course. Nothing has occurred to prevent that course being taken.

Mr. T. P. O'CONNOR rose amid loud cheers and cries of "Order!"

Mr. SPEAKER: I can only hear the hon. Member on a new point.

Mr. T. P. O'CONNOR: It is a new point. It is whether I would be in Order at this stage in moving the adjournment of the House?

Mr. SPEAKER: Certainly not.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 30th June.*]

[TWENTY-THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Sir FARRER HERSCHELL in the Chair.

NEW CLAUSES.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) moved, in lieu of Clause 19, to insert the following Clause:—

(Summary procedure for offences under Act.—14 and 15 Vic. c. 93.)

"(1.) Any offence against this Act shall be punishable on summary conviction, and may be prosecuted—

(a.) Within the police district of Dublin Metropolis in manner provided by the Acts regulating the powers and duties of justices of the peace of such district or of the police of such district; and

(b.) Elsewhere in manner provided by 'The Petty Sessions (Ireland) Act, 1851,' and the Acts amending the same,

subject nevertheless to the provisions of this section.

(2.) The proceedings for enforcing the appearance of the person charged shall be the same, and the evidence for both the prosecution and defence shall be taken as depositions in the same manner as if the offence were an indictable offence; but, save as aforesaid, the procedure shall be the same as in the case of an offence punishable on summary conviction.

(3.) A charge for an offence against this Act shall be heard and determined—

(a.) Within the police district of Dublin Metropolis before a divisional justice of that district; and

(b.) Elsewhere before two resident magistrates in petty sessions;

And in this Act the expression 'court of summary jurisdiction acting under this Act' means any such divisional justice or two resident magistrates.

(4.) The petty sessions held by two resident magistrates may be held at any place fixed by law for the holding of petty sessions, and on such days as may be from time to time determined in the prescribed manner.

(5.) Where a person is convicted summarily of an offence against this Act and sentenced to any term of imprisonment exceeding one month such person may appeal against such conviction to a court of general sessions held in pursuance of this section, but the proceedings before a divisional justice or two resident magistrates, on a charge for an offence against this Act, shall not be renewed in any other manner, whether by means of a writ of certiorari or otherwise, and such appeal shall, save as hereinafter otherwise provided,—

(a.) Be subject, except in the police district of Dublin Metropolis, to the provisions to which an appeal under 'The Petty Sessions (Ireland) Act, 1851,' is by section twenty-four of that Act, and any enactments amending that section, made subject; and

(b.) Be subject in the police district of Dublin Metropolis to the said provisions, with such modifications therein as may be prescribed for the purpose of adapting the same to the circumstances of that district.

(6.) For the purpose of hearing and determining appeals under this section general sessions of the peace shall be held at the prescribed times and places, and at such general sessions the chairman of the county shall sit as sole judge of the court, and shall hear and determine any such appeals which are brought before him, and shall have the jurisdiction and powers of a court of quarter sessions, and the decision of such chairman, whether as to the jurisdiction of the justice or magistrates or otherwise, shall be final and conclusive.

(7.) Any depositions taken at the hearing of a case before the divisional justice or two resident magistrates may be admitted in evidence on an appeal in that case.

(8.) The expression 'chairman of the county' in this section means a county court judge and chairman of the quarter sessions of a county, and includes a recorder."

New Clause (Summary procedure for offences under Act 14 and 15 Vic. c. 93,)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Richard Power.*)

MR. T. P. O'CONNOR said, he thought that the Government had treated the Committee, and especially the Members who sat upon those Benches, with great unfairness. They had come down there on the distinct understanding that it was intended to proceed with two Resolutions in reference to the Urgency of Public Business, one of them declaring that the state of Public Business was urgent. Nevertheless, Her Majesty's Government had paid so little attention to the matter that they had not a sufficient number of Members in attendance to carry a Motion of Urgency. Under these circumstances, he thought the Government were treating the Committee with contempt. The Irish Members had come down there under the natural impression that the two Resolutions upon the Paper would have occupied the entire Sitting. In view of that fact, they had not had time to put Amendments on the Paper in reference to the important clause now under consideration; and he thought it was not an unfair demand to make that the Committee should not be asked to proceed further with the consideration of the Bill that night.

SIR WILLIAM HARCOURT said, he would remind the hon. Member that if the second Motion had been put it would have been put without debate, and that certainly not more than a quarter of an hour would have been occupied in disposing of it. Therefore, all the complaint he had to make was that they would have been a quarter of an hour later than they were in occupying exactly the same position they occupied now. Consequently, the statement of the hon. Member that the Irish Members had been in any way injured by what had taken place was not borne out by the facts of the case. With regard to the clause, it had been on the Paper sufficiently long for Amendments to be put down. Some observations had been made upon the number of Amendments which had been put down in his name. Certainly, a considerable number of Amendments had been put down originally in his name, but he had since thought that it was better they should be put down in the name of the Attorney General for Ireland; and he did not see why hon. Members below the Gangway should complain of the length of those Amendments, because in almost every case they were Amendments which had been put down at the request of the Irish Members, and in order, as far as possible, to meet their views.

MR. MACFARLANE said, he wished to ask a question upon a point of Order in reference to this clause. The clause itself related to summary procedure for offences under the Act, and it also gave a right of appeal under the Petty Sessions Act. He had moved on the old clause two Amendments in reference to the right of appeal and to the appointment of a shorthand-writer, so that the grounds of the appeal might be clearly conveyed to the Court; but he had found when he went to the Bill Office that all the Amendments which had been put down in regard to the Bill, and which stood upon the Paper last week, had been summarily wiped out, and therefore the Amendments of which he had given Notice had disappeared. He wished to know whether it was not proper that the Amendments, of which Notice had been given, to the old 19th clause should be placed upon the Paper applicable to the new 19th clause?

SIR WILLIAM HARCOURT said, he could only repeat his former remark that the new 19th clause had been on the Paper now for many days. Hon. Members, therefore, had had an opportunity of seeing what the Government proposed to substitute in lieu of the old 19th clause, and could have put down their Amendments to this clause; in point of fact, several Amendments had been placed upon the Paper in regard to the present clause. The hon. Member ought to have seen that the old clause never would be put, but that it would be struck out; and it would be extremely inconvenient to put down all the Amendments to the old 19th clause, when that clause was intended to be struck out of the Bill. Hon. Members who desired to propose Amendments could not possibly be at any disadvantage, because they had had an opportunity of putting down Amendments to the present clause.

COLONEL MAKINS said, he had no objection to raise to the proceedings that were being taken with regard to this clause; but he would suggest to the Prime Minister that, as there had been a little difficulty in carrying the question of Urgency that night, it would be better to meet on Tuesday at 4 o'clock instead of at 2. It was quite evident that a considerable number of Members belonging to the Liberal Party were absent.

THE DEPUTY CHAIRMAN (Sir FARRER HERSCHELL) said, the hon. Member was not addressing himself to the Question before the Committee.

COLONEL MAKINS said, he would raise the point to-morrow.

MR. PARNELL said, the Irish Members found themselves quite unable to go into this clause, for the simple reason that they had not been able to get their Amendments inserted upon the Paper.

No doubt it was generally understood that the old clause would not be persevered with, but it was not generally expected that the new clause would have been reached as soon as it had been. So far, the Irish Members had not been able to study the nature of the clause, and they had not put any Amendments upon the Paper at all. It was therefore unfair to ask them to go on moving Amendments which were not upon the Paper, and which it would be difficult at that hour of the night for the Committee, and for the Government, to understand. He did not think there was any practical advantage in the Government going on with the Bill that evening. They evidently had not intended to do so when they came down to the House that night, and the only reason why they had reached the Prevention of Crime Bill at all was the accident of their not being able to muster a sufficient number of Members to pass their Urgency Resolution. To-morrow, at 2 o'clock, it would be possible to go on with the Bill under the new system; but he did not see the reason why the Government should wish to force the Committee to go on with the Bill at that moment. Under all the circumstances, there was practically nothing to be gained by going on; and after the late hours the House had been keeping last week, an early adjournment would be appreciated. He would therefore advise the Government to consent to reporting Progress now, and to-morrow they might be able to obtain the requisite number of Members to enable them to carry their Urgency Resolution.

SIR JOHN HAY said, he would suggest to the Government that it would be convenient to close the Committee and move the new clause under the Urgency Resolutions upon the Report. In that way they would expedite Business, and he believed that all the clauses that now stood upon the Paper could be just as advantageously moved upon the Report as they could be in Committee.

MR. ARTHUR O'CONNOR said, that the Irish Members were placed in a disadvantageous position, because, although the new clause had been on the Paper for several days, the Government had not until quite recently made the alterations which they had promised in them. It had been made evident that the Committee would not accept the clause as it originally stood, and therefore it became necessary for the Government to place new clauses upon the Paper. He did not see that the Government would suffer any injury if they consented to report Progress now; on the contrary, they would obtain one of those interstices which they had expressed their desire to obtain between the various stages of the Prevention of Crime Bill, so that they might proceed with that further question they professed to be so anxious to promote, and upon which they set so much store—namely, the Arrears of Rent (Ireland) Bill, or if not, although that stood upon the Paper as the second Order of the Day, they might proceed with the third, which was the Business Resolutions. It did not appear at all likely that very much progress would be made upon the 19th clause that night, however much the Government might persist in forcing it on. There might be some more unseemly scenes produced, but he thought there would be more real progress in regard to Public Business made if the Government consented to report Progress.

MR. GIBSON said, that Clause 19, although technically a new clause, was not really a new clause at all, but the old clause with Amendments suggested by hon. Members below the Gangway themselves. It went practically over all the old ground covered by Clause 19, and its only new aspect was to be found in the Amendments which the Government had adopted for providing a machinery for appeal. Under these circumstances, he thought the Committee might consent to make progress by passing the clause.

MR. SHEIL said, the Attorney General for England had, in the course of the proceedings of the Committee, stated that ample opportunity would be afforded for placing Amendments to this clause upon the Paper, so that the questions raised by the clause might be fully discussed upon a future occasion. That being so, it was unfair to press the clause now, seeing that it had been really morally impossible, owing to circumstances which had recently occurred, to place Amendments on the Paper at all. No doubt the old clause was virtually the same as the new clause, except in one or two respects, and therefore the Amendments which had been originally on the Paper in regard to the

19th clause ought now to be put in a position in which they might be discussed.

Mr. ARTHUR O'CONNOR said, he rose to a point of Order. He thought he was right in saying that the name of the Chairman (Sir Farrer Herschell) was upon the back of the Bill. The hon. and learned Gentleman was now presiding as Chairman of the Committee, and he wished to know whether it was in Order for a Member whose name was upon the back of a Bill to act as Chairman of the Committee engaged in the consideration of it?

The DEPUTY CHAIRMAN (Sir Farrer Herschell) said, he was not aware of any Rule of the House that would prevent him from presiding.

Sir STAFFORD NORTHCOTE said, that the name of the Chairman of Ways and Means was always on the back of all Money Bills.

The ATTORNEY GENERAL (Sir Henry James) wished to contradict the statement of the hon. Member for Meath (Mr. Sheil), that the Government had promised ample time in the future for the discussion of this clause. The Prime Minister had promised that the clause should be postponed until the next Sitting, and that promise had been kept. The Amendment of the hon. Member was upon the Paper, and it had been there for some time, and there was no reason why they should not discuss it.

Mr. SHEIL said, his Amendment had been on the Paper for the last two weeks; but he did not see what that had to do with other Amendments which were not upon the Paper. The hon. and learned Gentleman evidently did not understand the argument. The argument had nothing to do with his (Mr. Sheil's) Amendment at all; but it applied to the Amendments which were not on the Paper, but which would have been on the Paper if it had not been for the extraordinary action recently taken by Her Majesty's Government.

Mr. LEAMY said, he would support the Motion for reporting Progress. It was quite true that at half-past 12 o'clock on Saturday morning they passed over the opportunity of discussing the old 19th clause, and since then it had been perfectly impossible for hon. Members to put down Amendments to the new clause. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had more than once urged that it was impracticable to discuss Amendments in manuscript. The only Amendment which he (Mr. Leamy) had to move was submitted to the Committee on Friday morning, and the moment he moved it the Home Secretary said it was quite evident that it was moved for the purpose of Obstruction, because it had not been put down on the Paper, but had been moved in manuscript. How were Irish Members to know that the same objection would not be raised now?

Mr. HEALY said, he could not perceive any advantage the Government would obtain by insisting on the Bill being proceeded with that night. No doubt they would have passed their Rules of Urgency if they had had their men at hand; but the Home Secretary, not having his men in hand, had dealt with the House as gently as a sucking dove. The Government to-morrow would have their Rules of Urgency, and they could, at any moment, order the debate to be stopped at 12, or 2, or 3 o'clock, or any hour they chose. Then, what was the advantage of going into this new fight? As far as the Irish Members were concerned they were ready to meet the Government. If the Government wanted another all-night Sitting they were ready to let them have it. They did not regard themselves as beaten. If they had been beaten at all they had been beaten by brute force. They thought the men who had been beaten were those who had had to resort to an all-night Sitting. Like a man who played a game of chess, and because he could not win the game, beat his opponent upon the head, the Government had been engaged in hitting the Irish Members on the head. They were again quite ready for the Government. If the Government wanted another all-night Sitting the Irish Members were ready and prepared to meet them.

Question put.

The Committee *divided:*—Ayes 26; Noes 269: Majority 243.—(Div. List, No. 236.)

Question again proposed, "That the Clause be read a second time."

Mr. HEALY said, the Government must perceive that Irish Members had not had an opportunity of putting down

Amendments. With regard to Clause 19, they had placed several Amendments on the Paper, and, of course, the postponed Amendments could only hold good upon that clause. It was rather unfair on the part of the Government, after kicking Irish Members out of the House on Saturday, to expect that they should have been able to put down the Amendments which they intended to move to this clause. He thought that Irish Members had been extremely moderate in their proposals. They had done their best with this wretched Bill, and, as far as he was concerned, he did not wish to have anything more to do with it. Irish Members could not fight in irons. He had himself fought the Bill as long as he was able, and he should have continued to do so had it not been for the course which the Government had pursued. The Government were in error in supposing that he and his Friends were willing to continue the discussion to suit the convenience of the Government during the day and night. Such a proposal was something which Irish Members were not prepared to submit to. Under the circumstances, he would move, "That the Chairman do now leave the Chair."

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Healy.*)

MR. PARNELL said, it was desirable that the Committee should be informed how long the Government wished to continue the discussion on that occasion. What progress did they desire to make? Did they want to have another all-night Sitting? For his own part, he did not wish to proceed at all that afternoon with the second reading of this clause. The Government had moved for Urgency in this matter, but they had not yet obtained it, so they must not be surprised if Irish Members did not care very much about facilitating the progress of the Bill on that occasion. Under the circumstances, he did not think they should be asked to go on. He confessed that he had not had an opportunity of studying the clause in such a way as to enable him to go on with the discussion at that moment. They had been informed that an opportunity would be afforded to them of putting down Amendments to the clause; but the right hon. and learned Gentleman must see that no such opportunity had been afforded, because they had been suspended from the service of the House on Saturday, and, under those circumstances, it was quite impossible that the Amendments could be placed on the Paper. That evening was the first opportunity they had had, since the great progress which was made with the Bill on Saturday last, of considering the new clause. He hoped they should receive some explanation from Her Majesty's Government with regard to the course they intended to pursue.

MR. GLADSTONE said, hon. Gentlemen opposite appeared to think that the Government had the design of pressing through this clause by means of numerical strength, and without any regard to the convenience of hon. Members; but the Government had no such intention. At 10 minutes past 11 the House was in a position to resume the consideration of the clause without reference to the Rules of Urgency. And what the Government desired was that two or three hours should be taken to continue the discussion. But hon. Gentlemen seemed to think that there had been a violation of the engagement given on Saturday, although he was bound to observe that the engagement then given had been strictly fulfilled both in letter and in spirit. A complaint had been made on Saturday that it was the intention of the Government to press the whole of the clauses, both new and old, through Committee at that Sitting, and it was stated in reply that it was only the old clauses that would be pressed, and that Monday would be given to the new clauses. The hon. Member said there was no time to discuss the new clauses on Monday, but there he entirely differed from him. It appeared to him that there was no need to have expended three hours in the discussion of the first question which had occupied the House that evening; and with regard to the second question, it was only owing to the rising of an hon. Member not connected with the hon. Member for the City of Cork (Mr. Parnell) that it had not come on much earlier than it did. But, surely, that was no reason, in the present pressing state of public affairs, for the waste of fresh time. He hoped he had made it clear to hon. Members opposite that there was no ground for the misapprehension that the Government intended to take another all-night

Sitting, and press through the new clauses, regardless of the convenience of hon. Members. Therefore, he hoped the hon. Member for Cork City would discourage his Friends from taking the course which had been indicated.

Mr. LEAMY said, with reference to this new clause, no one but a man acquainted with the practice of the law in Ireland could understand it. There had been already 27 Amendments put down with reference to the clause, and if any Member of the Committee cast his eye over the wording, he would see that it was absolutely absurd to expect that a lay Member of the Committee could deal with it on so short a Notice. It therefore appeared to him desirable that the consideration of the clause should be postponed. He had no doubt that when the Committee resumed its labours the remainder of the clauses could be got through in a few hours, and that the Report stage could be concluded in one day. There was really no need, under those circumstances, for carrying on the discussion. One of the Amendments to the clause stood in the name of the hon. and learned Member for Kilkenny (Mr. Marum), who had been of great assistance during the progress of the Bill in Committee, and who, he believed, had supported some of the Amendments of the Home Secretary, against the views of hon. Members on that side of the House; but the Committee would remember that he had been suspended from the service of the House during his absence, and while he was actually in bed. The clause, as he had already pointed out, was altogether of a technical character, dealing as it did with the procedure of the Law Courts in Ireland, and could only be dealt with efficiently by men acquainted with the law. Under the circumstances, he asked the learned Attorney General for Ireland to postpone the clause until to-morrow for the purpose of securing the attendance of the hon. Member for Kilkenny.

Mr. STAVELEY HILL said, that the whole of these Amendments could be discussed on Report, and, that being so, he put it to the Government whether it would not be better to make a golden bridge for the use of Irish Members and allow the discussion to take place at the stage he had suggested?

Mr. PARNELL asked, whether in that case the Report would be taken on that day week? Would the right hon. Gentleman allow that interval to elapse for the purpose of considering the Amendments to be put down on the Report of the Bill? If the right hon. Gentleman acceded to the proposal, he believed it would effect a considerable saving of time, and the Government could, in the meantime, make some progress with the Arrears Bill. They would, upon the plan indicated, probably be able to carry the Prevention of Crime Bill on Monday or Tuesday, next week. The Bill would probably leave the House on Tuesday week, and then the remainder of the week could be given to the discussion of the Arrears Bill. He did not think the Government would get the Bill through the House any sooner by hurrying Irish Members on to the Report, because the result of that would be that they would not be able to frame the Amendments, which were necessary, in their opinion, to this clause, and fresh delay might, in consequence, arise. If the Government could see their way to postponing the Report till Tuesday week, he believed that the Bill would in the end be sooner disposed of.

Mr. GRAY said, on Saturday the right hon. Gentleman the Prime Minister gave an assurance which he now said had been fulfilled. On Saturday he did not think the right hon. Gentleman at all contemplated taking the new clause on that day, and he (Mr. Gray) had asked him whether he would place those hon. Members who had been suspended from the service of the House, and had not been able to place their Amendments in the hands of the Clerk at the Table, in the same position with regard to the new clause as they then occupied in relation to the old clause? The right hon. Gentleman gave a reply of so full and ample a character, that he confessed to a difficulty in fixing in his mind the precise meaning attached to it; but he had taken it to be an assurance that those Members would be placed in the position which he had referred to. However, from what the right hon. Gentleman now said, it appeared that he had not intended to convey that impression.

Sir R. ASSHETON CROSS said, that when that appeal was made to the Prime Minister he immediately rose in the expectation that there might be some misapprehension, and asked if this clause would be taken on Monday, an arrangement which would give Members ample time for putting down their Amendments. That point was distinctly raised by him in order that when Monday came there might be no misunderstanding; and the right hon. Gentleman replied that the new clauses would be discussed on Monday. That was clearly understood. With regard to the other point raised, as the House had now voted that the Rule for Urgency should come into operation, it would be absolutely inconsistent with the position taken up by the Government in this matter were they to listen to the story that the Bill ought to be put off for a couple of days, because the Committee would be aware that Urgency was only voted for the express purpose of going on with this Bill from day to day.

MR. DILLON said, that, after he had been suspended on Saturday, he sent Notices of Amendments to this clause by a messenger to the Clerk at the Table, who refused to receive them.

MR. J. N. RICHARDSON said, he rose to make a suggestion to the Government and to English Members with reference to the present discussion. The proposal he had to make might not be a very popular one, still he thought that moment most favourable for laying it before the Committee. Some Irish Members had brought in a Sunday Closing Bill for Ireland, but they had been obliged to wait for several months without getting an opportunity of bringing it forward before half-past 12 o'clock in consequence of Notices of Opposition appearing on the Paper. The suggestion he had to make was that the Committee should suspend its labours at that hour (12.15) in order to allow the Bill to which he had referred to be proceeded with.

THE DEPUTY CHAIRMAN (Sir FARRER HERSCHELL) said, he must point out to the hon. Member that the question he was raising was out of Order on this Bill.

MR. W. H. SMITH said, it would be for the convenience of the Committee that there should be an understanding as to the progress to be made with this Bill. The Government had thought fit to ask Urgency to be applied to it, and he believed that the almost unanimous feeling was that Urgency should be granted. But having regard to the precedent of last year, it must be remembered that the Committee stage was followed by the stage of Report on the succeeding day, and he thought it desirable that the House should be given to understand whether the precedent of last year would be followed in the present instance. The House felt generally that this was a measure which required the minutest attention, and that, although nothing should be done with regard to it in a precipitate manner, no delay should be allowed to intervene between the present stage and the passing of the Bill. Urgency having been applied for, it was most desirable that there should be a distinct understanding that the further stages of the Bill should be prosecuted from day to day, due regard being had, of course, to the deliberation which certainly ought to be accorded to it.

MR. GLADSTONE said, it was not in his power at that moment either to affirm or to dispute the statement of the right hon. Gentleman with regard to what happened last year. It might possibly be, although it surprised him very much to learn it, that the Report of the Bill referred to by the right hon. Gentleman was taken on the day succeeding that on which the Committee closed. If that was so, it was a thing almost unexampled. The intention of the Government was to proceed with the Bill as rapidly as they could, but with due deference to the proprieties of discussion. It must not be forgotten, however, that many Amendments would probably be proposed, and that a very important clause had recently been added to the measure. The Bill, moreover, had to be reprinted. For his own part, he should be most glad to proceed with the Report on the day after Committee; but it was impossible at that moment to speak with absolute certainty as to the day on which the Report would be taken, because that must depend upon the day when the Committee could be closed. He did not think the plan suggested by the hon. Member for the City of Cork (Mr. Parnell), for postponing the Report until that day week, could be acceded to without virtually departing from the understanding established all along with the object of expediting the Bill.

MR. GIBSON said, he should like to be quite clear in his own mind as to the meaning of the Prime Minister. He assumed that this Bill, like all other Bills of equal magnitude and importance, would undergo the process of reprinting. No doubt the Bill could be redistributed to-morrow afternoon. The Land Act of last year, which was longer and more complicated than the present measure, was kept going *de die in diem* and reprinted as the Committee thought fit, and he had little doubt that the same arrangement could be made with regard to this Bill. Suppose the Committee were to close that evening, would the Report be taken to-morrow? He thought the Committee should not be left in a state of uncertainty, and be merely told that the matter would have to be considered when it arose. Of course, they knew that everything when it arose had to be considered; but he would point out that they were then within a measurable distance of the end of the Bill, and were therefore entitled to something like a definite and clear statement as to when the Report would be taken.

Mr. GLADSTONE said, the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had spoke with more absolute confidence of the progress of the Bill than his (Mr. Gladstone's) experience of the House accorded with. He should wish that the Report stage should be taken after an interval of one clear day from the reprinting of the Bill, because it would be unreasonable to ask Members to go on with the Report until they had had an opportunity of putting down their Amendments. If the Bill could be reprinted and circulated on the day after the labours of the Committee came to an end, then he thought the Report could be taken the next day.

Mr. W. H. SMITH said, that the Peace Preservation Bill was committed on the 9th of March, and ordered, as amended in Committee, to be taken into consideration on the 10th.

Mr. O'CONNOR POWER said, that the raising of this question as to the time between the conclusion of Committee and Report was irregular, and had nothing to do with the question of leaving the Chair. He objected to having a matter arranged between the Front Benches in tones that the rest of the Committee could know nothing about it. The Leaders of the Conservative Party had suggested that the Government were not free to enter into engagements upon that subject on the present occasion, because the Government were fettered by pledges which they had voluntarily given with regard to the time to elapse between the conclusion of Committee and Report. He recollected distinctly that some weeks ago the Prime Minister stated he would avail himself of any interval that should present itself between the different stages in the progress of the Bill, and mentioned that he looked forward to an interval between Committee and Report. Now the matter was being debated as if no such pledge had been formally given by the Government. That expectation was, at least, expressed by the Prime Minister, and the pledge ought to be borne in mind before the Committee entered into an irregular discussion upon that point. With regard to the question as to whether the Chairman should leave the Chair, the answer which the hon. Member for Tipperary (Mr. Dillon) gave to the right hon. Gentleman (Sir R. Assheton Cross) was conclusive, for he pointed out that it was utterly impossible for Members of the House who were suspended on Saturday to have placed Amendments on the Paper already, if they desired to alter any portion of the Bill; and he added that, being unable to enter the House himself, he sent his Amendments to the Clerk at the Table, who, however, refused to receive them. Could it be said that that hon. Gentleman, or other hon. Gentlemen similarly circumstanced, were free to enter upon the discussion of this clause as if nothing had happened? He hoped the suggestion of his hon. Friend would be accepted by the Government. It was not exactly the number of hours that had been spent to-night in discussing public matters, but the point was the deep interest which all Members of the Committee felt in the subject under discussion; and he ventured to say that the Committee was more excited by what it had gone through from 4 o'clock than if it had been sitting twice as long on any ordinary occasion. Under those circumstances, he was free to make an appeal, not at all founded on his own convenience, because he could not claim to have given that close attention to the Bill which some of his Colleagues had given, but because it would be wise and prudent to allow the Motion to be carried, in order to come back to the work at 2 o'clock the next day with something like a readiness to discuss it.

MR. MACFARLANE said, that hon. Members were not in a position at this time of night to proceed with this matter, and he thought the Government ought to give way, especially as they would, at 2 o'clock, have any amount of pressure available to enable them to force the Bill through in a few hours.

SIR WILLIAM HARCOURT said, he would like very much to know whether hon. Members opposite entertained the idea of practically closing the Committee and bringing up new clauses on Report? He gathered from the hon. Member for the City of Cork (Mr. Parnell) that that was intended. If that was made clear, time might be saved, and they might avoid going twice through the same thing—first in Committee, and then on Report. In that way they could get to Report as early as if they went on with these clauses in Committee; and it would be a gain to all parties, because then they would reach that point, and, at the same time, save a great deal of time. Having Urgency to-morrow, they could go on with these clauses in Committee, and get through Committee during the day; and in the interval for reprinting the Bill they might consider these points and get Report on Thursday or Friday, taking the third reading within the week. If any inconvenient labour could be avoided by taking Report and postponing all these clauses to Report, and fixing Thursday, or even to-morrow night, for Report, they could ultimately get the Bill through this week in the same way as if they went on with these clauses in Committee. If that met the view of hon. Members, there would be no difficulty, and they would have no ground for saying that they had not ample time before Report on Thursday. The House would hardly be in a position to discuss these clauses to-morrow; and, therefore, he would propose that they should be postponed until Report, and that Report should be taken on Thursday.

MR. LEAMY said, that the new clauses, which the right hon. Gentleman was too ready to dispose of, were clauses of a very serious character. For instance, there was a new clause relating to special juries in special cases. The Committee would bear in mind that a very lengthened discussion took place on the abolition of trial by jury, and the substitution of a new tribunal. When they had got rid of the first part of the Bill, they knew what the tribunal was which the Government proposed to substitute; but now they found, by the new clause, a proposition to have special juries in criminal cases. If that proposal had been in the original Bill, it would have led to a considerable discussion. He believed the clause had been proposed with a view to meet the suggestion of hon. Members from Ireland; but now the Home Secretary proposed that all these clauses should be thrown over until Report, and disposed of, he presumed, on Thursday. But these clauses were of so much importance that it would be utterly impossible to dispose of them, with adequate discussion, in one Sitting. Then there were several other clauses; and there was an advantage in taking these clauses in Committee, rather than on Report. The Committee would have a double opportunity of considering the working of the clauses; and for this reason it was most desirable, even if those clauses had to be considered subject to the Rules of Urgency, that they should be taken in Committee and again on Report. If they were taken in Committee, Irish Members might hope for the assistance of a great number of the supporters of the Government; and if the Government found that to be the case, they might be influenced to adopt the view of Irish Members, and reject or modify the clauses. It would be a mistake to agree to the suggestion of the Home Secretary.

MR. PARNELL said, he was disposed to consider the suggestion made by the Home Secretary, and to dispense with the discussion of this clause in Committee, taking it on Report, if the right hon. and learned Gentleman would postpone Report until Friday. That would be a fair arrangement, which would meet the views of most of his hon. Colleagues.

MR. METGE said, that on Saturday the Government met the Irish Members by a mechanical majority, and forced them outside the House, and he felt that he should stultify the trust reposed in him by his constituents if he accepted any compromise. The Irish Members were there to oppose coercion, and he should oppose it by every means in his power. He was not going to put off these clauses to Report. He opposed coercion now, and he would vote against it whenever he had an opportunity of doing so. He would put no trust in pledges controverted over and over again; and for this reason, if he had to go into the Lobby by himself, he should oppose the suggestion.

Mr. STOREY said, the suggestion made by the hon. Member opposite would have the effect of giving an additional day for the consideration of the Arrears Bill. Although that might not be quite agreeable to Conservative Members, he thought it would be agreeable to a large number of the supporters of the Government below the Gangway, and to a large section of opinion in the country. He did not speak for himself, for he was sure that the consideration of that Bill would not be agreeable to him; but he would say what he had to say about it hereafter, having gathered the opinions of hon. Members and of people in the country. He believed it would be a great relief to the multitudes of Liberals in the country if two or three days could be obtained to make substantial progress with the Arrears Bill, instead of being troubled with this everlasting coercion.

Mr. GIBSON said, he could not understand, if the Government agreed to postpone Report till Friday, how they could justify asking the House for Urgency to-morrow. He had made inquiries as to the printing of the Bill, and he was informed that it was practically reprinted, with the exception of a new clause, and that it could be circulated within a few hours of the termination of the Committee stage.

Colonel KINGSCOTE said, he hoped the Committee would not listen to the suggestion of the hon. Member (Mr. Storey). The discussion during the last half hour had shown that the more the Government held out the olive branch the more was demanded of them. He believed that not only this House, but the Liberals of the country, would call upon the Government and require the Government to go on with this Bill, and try to put a stop to what was taking place not only in this House but in Ireland. He hoped the Government would go on with the measure without any delay, and not listen to hon. Members below the Gangway on either side, who held out the promise that if Report was taken on Friday they would agree to this or that proposal. He was sorry to have to say he could not believe them.

Mr. DILLON said, he entirely agreed with what had been said by the hon. Member for the City of Cork (Mr. Parnell). He hoped that Friday might be fixed for Report. He must protest against the tone imported into the discussion by the hon. and gallant Gentleman who had just sat down. The original idea of the Government was that certain progress was to be made to-night, and that the Committee was to be resumed to-morrow. He and his hon. Friends were willing to accept an arrangement by which an entire day would be saved for the business. If the Committee were proceeded with further to-night, no one would contend for a moment that the Amendments could be got through. They would have to resume Committee to-morrow, and, according to the Government's contention, they could not take the Report till Friday. He would conclude by making an earnest appeal to the Government to withdraw the new clauses in reference to the change of venue. Surely the Government had power enough in their hands when they had abolished trial by jury. The withdrawal of these clauses would be a reasonable concession, and one calculated to remove a great deal of bitter and angry feeling.

Mr. SHEIL said, the past experience of the Irish Members taught them to look with considerable suspicion on any suggestion made by the Home Secretary. That being so, they ought to pause before they accepted the proposition which the right hon. and learned Gentleman now made, and which he had made so often during the progress of the Bill in Committee—namely, to defer the further consideration of the matter until they reached the stage of Report. Before a Bill reached the stage of Report it was presumed it had been thoroughly threshed out in Committee. If these new clauses were only brought up on Report, hon. Members would only be allowed to speak once upon them. He hoped the hon. Member for the City of Cork (Mr. Parnell) would pause before he adopted any such suggestion as that now made by the Home Secretary.

Mr. MAGNIAC said, the hon. Member for Tipperary (Mr. Dillon) had said words had been used on the Liberal side of the House which were not calculated to promote harmony in the Committee, or facilitate the progress of the Bill. He appealed to the Committee whether the conduct of Irish Members to-night was calculated to promote harmony. The Committee had been discussing since 10 minutes past 11—now very nearly two hours—whether they should proceed with the Business or not. Every day the country was asking the question why the House of Commons allowed the present state of things to continue. His hon. Friend and Colleague (Mr. Whitbread) a few days ago addressed a very earnest appeal to the Irish Members opposite, an appeal which ought, on account of the hon. Gentleman's experience and well-known kindliness of disposition and sense of justice, to carry great weight. [*A laugh.*] Hon. Members sitting on the Irish Benches opposite might laugh, but this was no laughing matter to those Members who represented English and Scotch constituencies. The reason why his hon. Friend made that appeal was that he (Mr. Whitbread), as well as himself (Mr. Magniac), had been asked by their constituents why an effort was not made to transact the Business of the country in a straightforward and business-like way. He hoped the Government would stand firm, and insist upon the proper transaction of the Business of the country. When hon. Members opposite talked about the conduct and words of the Liberal Members not being such as to promote harmony, he would like to know how harmony was going to be promoted if the Committee was to do its Business in the present contemptible manner. [*Cheers from the Irish Members.*] The hon. Members who cheered that remark seemed to forget that the whole weight of the responsibility rested upon themselves; they alone were responsible that the Business of the House of Commons was being conducted in a manner that any Vestry would be ashamed of. The Business of the House ought to be conducted orderly and regularly; and hon. Members ought not to be interrupted by the unseemly remarks which were only too prevalent. He, and many who sat around him, were getting tired of the present mode of proceeding, and they were determined, as far as independent Members could be determined, that it should not continue any longer. He spoke, perhaps, with greater weight, because he was an insignificant Member of the House. ["Hear!"] Well, it must be remembered that the majority of the House was made up of insignificant Members—Members who were content to cast in their lot with the rank and file of the House, and who did not think it necessary on every occasion to put forward their own private and small views on the great questions which came before the country; they were content to transact their Business on the great traditions which had governed the procedure of the House. He sincerely hoped the Leaders of the House would see that the time had now come when a firm stand must be made against the present attempt to undermine the practice of the House, and that they would show themselves determined that the Business of the country should be conducted in a proper, respectful, and dignified manner.

MR. R. POWER said, it was all very well for the hon. Gentleman the Member for Bedford (Mr. Magniac) to say they ought to be harmonious in their proceedings. What would the hon. Gentleman think if he was turned out of the House by a tyrannical and cowardly majority?

THE DEPUTY CHAIRMAN (Sir FARRER HERSCHELL): I must call upon the hon. Member to withdraw that expression. He has applied the term cowardly to the majority of the Members of this House, and I must call upon him to withdraw it.

MR. R. POWER said, that, of course, he would immediately withdraw the word cowardly, and he would say tyrannical, and not very courageous majority. The Committee had done all they could to exasperate the Irish Members. ["Oh!"] Yes; there was a deliberate attempt on Friday night to exasperate the Irish Party; and when the hon. Gentleman talked about this country thinking this and thinking that, he would remind the hon. Gentleman that he (Mr. R. Power) and his hon. Friends had a country to think of; and he would remind the hon. Gentleman that hundreds of thousands of people were looking forward anxiously to this struggle of the Irish Members with the House of Commons. The Irish Members would betray the trust reposed in them if they did not make every effort, and use every Form of the House, to defeat the measure now under consideration.

Mr. T. T. PAGET said, that, as one of the rank and file of the House, he begged to endorse every word that had fallen from the hon. Member for Bedford (Mr. Magniac). The Irish Members talked of their country; but the English Members had a country, and every day the feeling of indignation was increasing at the manner in which the Business of the House of Commons was conducted. As a unit in the House, he sincerely joined with his hon. Friend (Mr. Magniac) in the hope that the Government would now stand firmly.

Sir JOHN HAY said, he thought that if the present Motion were withdrawn, and the Chairman were to report the Bill, as amended, to the House, they might take a division which would satisfy hon. Gentlemen below the Gangway, and bring up the new clauses on Report.

Mr. CALLAN said, although he had been suspended, he found, on careful investigation, that he spoke upon only a few of the clauses, and upon those which in a peculiar manner affected the financial position of his constituents. In reference to the new clauses which had been placed on the Paper, he noticed there were eight pages of them, and two of them related to special jurors and change of venue. These particular clauses opened up a very large subject, which could not be properly considered in the short time remaining to the Committee to-night. They could be much better discussed in Committee than on Report, and it would greatly facilitate the Business if they adjourned now, and took the new clauses in hand to-morrow. The Government would pass their Urgency Resolution to-morrow, and they would find that they would have everything just as they desired. Certain observations had been made as to the feeling of the country. He knew it was the intention of some hon. Members to stir up the feeling of this country as much as they could against Ireland; but the Irish Members had their constituents to study, and as long as their constituents stood by them they would stand by their constituents. Liberal Members talked about holding out the olive branch. The olive branch was held out to the Irish Members on Friday night. He hoped the Irish Party and the Irish people, whether they were in England, Ireland, or Scotland, would repay the offer of the olive branch by giving the Liberal Party a right good thrashing at the next Election.

Question put.

The Committee *divided:* Ayes 22; Noes 184: Majority 162.—(Div. List, No. 237.)

Mr. METGE said, he would move that Progress be now reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Metge.*)

Mr. PARNELL said, it would, perhaps, be well if his hon. Friend (Mr. Metge) would withdraw his Motion, and allow the Committee to proceed until they came to some contested point.

Mr. METGE said, he would bow with humility to the Chairman of his Party if he could do so conscientiously. The battle was not sought by the Irish Members, and, representing a constituency which he knew approved of what he was doing with regard to this measure, he must press his Motion.

Mr. GLADSTONE said, the Committee must deplore the waste of time that had taken place, and the absolute barrier that was being presented to the transaction of Business. Notwithstanding the great provocation that was offered to the majority of the Committe, he felt that they would do wisely in acceding to the Motion: The Bill would be taken to-morrow at 2 o'clock.

Motion *agreed to.*

Colonel MAKINS said, he would now repeat the suggestion which he made earlier in the evening—namely, that the House should meet at 4 o'clock to-morrow, instead of 2 o'clock. The Government intended to take a vote with reference to Urgency, and there was a greater chance of the requisite number being present if the House assembled at the later hour.

Mr. GLADSTONE said, he had no doubt the suggestion was made in perfect good faith; but there had been a distinct understanding that the House would meet at 2 o'clock to-morrow, and he was really too late now to alter the arrangements.

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

METROPOLITAN BOARD OF WORKS (MONEY) BILL.—[BILL 176.]

(*Mr. Courtney, Lord Richard Grosvenor.*)

COMMITTEE. [*Progress 27th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 8 (Power in Board to expend moneys for sundry purposes during year ending 31st December, 1883).

MR. MONK said, that, having made his protest, which was a very ineffectual one, against what he considered a clear breach of faith on the part of the Government in refusing to assent to this Bill being referred to a Select Committee, the late Secretary to the Treasury (the late Lord Frederick Cavendish), having promised it should be so referred, he had withdrawn his Amendments to this clause, and to the Bill generally.

MR. COURTNEY said, he must deny, once more, that a breach of faith had been committed.

MR. WARTON asked why the Bill was brought in this year earlier than usual, if the Government did not consider that a pledge was given by the late Lord Frederick Cavendish that this Bill should be referred to a Select Committee?

Clause *agreed to.*

Remaining clauses *agreed to.*

SIR JAMES M'GAREL-HOGG moved the insertion of the following new Clauses after Clause 7:—

(Power to Board to contribute to improvements at Hyde Park Corner.)

"8. The Board may, from time to time, up to the thirty-first day of December, one thousand eight hundred and eighty-three, expend for the purpose of contributing towards the expenses of the improvements for facilitating the passage of traffic at Hyde Park Corner, and of all works and other matters necessary or incidental thereto now in contemplation, and about to be commenced and completed by and under the authority of the First Commissioner of Her Majesty's Works and Public Buildings, such moneys as they may think fit not exceeding the sum of twenty thousand pounds. All moneys expended by the Board for the purposes aforesaid shall be deemed to be expended under the authority of section one hundred and forty-four of 'The Metropolis Management Act, 1855,' and the enactments altering, amending, or affecting the same: Provided always, That the moneys to be expended and the consolidated stock to be created by the Board for the purposes mentioned in this section shall be raised and created by them from time to time in such amounts and at such times only as the Board shall actually require and as the Treasury shall approve for the said purposes.

(Power to Board to expend moneys for the purposes of "The Metropolitan Board of Works (Various Powers) Act, 1882."

"9. The Board may, from time to time, up to the thirty-first day of December, one thousand eight hundred and eighty-three, expend, for the purposes of 'The Metropolitan Board of Works (Various Powers) Act, 1882,' such moneys as they may think fit, not exceeding eighty-four thousand pounds: Provided always, That the money to be raised, and the consolidated stock to be created by the Board for the purposes mentioned in this section, shall be raised and created by them from time to time, in such amounts, and at such times only as the Board shall actually require, and as the Treasury shall approve, for the purpose of carrying out the provisions of the said Act in a proper and efficient manner."

New Clauses *brought up*, and read the first time.

Motion made and Question, "That the said new Clauses be now read the second time," put, and *agreed to.*

New Clauses *agreed to*, and *added* to the Bill.

Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

BILLS OF EXCHANGE (*re-committed*) BILL.

(*Sir John Lubbock, Mr. Cohen, Mr. Lewis Fry, Sir Hardinge Giffard, Mr. Monk*)

[BILL 211.] COMMITTEE.

[*Progress 27th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6, inclusive, *agreed to.*

Clause 7 (Address to drawee).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 3, line 19, to leave out "or," and insert "of."

Clause, as amended, *agreed to.*

Clause 8 *agreed to.*

Clause 9 (Bills prohibiting transfer, &c.)

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 3, line 26, before "between," insert "as."

Clause, as amended, *agreed to.*

Clauses 10 to 53, inclusive, *agreed to.*

Clause 54 (Duties of holder as regards drawee or acceptor).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 20, line 25, leave out "shall not be," and insert "is not."

Clause, as amended, *agreed to.*

Clauses 55 to 57, inclusive, *agreed to.*

Clause 58 (Liability of drawer or indorser).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 21, line 37, leave out "is in the nature of a new drawer, and."

Clause, as amended, *agreed to.*

Clauses 59 to 68, inclusive, *agreed to.*

Clause 69 (Alteration of bill).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 24, line 34, leave out "by any person whatever."

Clause, as amended, *agreed to.*

Clauses 70 to 75, inclusive, *agreed to.*

Clause 76 (Rules as to sets).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 27, line 35, leave out "shall be," and insert "is."

Clause, as amended, *agreed to.*

Clause 77 (Rules where laws conflict).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 28, line 23, leave out "shall be," and insert "is."

Clause, as amended, *agreed to.*

Clause 78 *agreed to.*

Clause 79 (Presentment of cheque for payment).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 29, line 25, leave out "was or was not justified," and insert "acted reasonably."

Clause, as amended, *agreed to.*

Clauses 80 to 83, inclusive, *agreed to.*

Clause 84 (Crossing a material part of the cheque).

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:—In page 30, line 27, leave out "shall be," and insert "is."

Clause, as amended, *agreed to.*

Clauses 85 to 100, inclusive, *agreed to.*

Clause 101 (Bills and notes under twenty shillings).

On the Motion of Mr. SOLICITOR GENERAL, Clause *struck out.*

Remaining clauses *agreed to.*

On the Motion of Mr. SOLICITOR GENERAL, the following Clause inserted after Clause 106:—

(Parole evidence allowed in certain judicial proceedings in Scotland.)

"In any judicial proceeding in Scotland, any fact relating to a bill of exchange, bank cheque, or promissory note, which is relevant to any question of liability thereon, may be proved by parole evidence: Provided, that this enactment shall not in any way affect the existing law and practice whereby the party who is, according to the tenor of any bill of exchange, bank cheque, or promissory note, debtor to the holder in the amount thereof, may be required, as a condition of obtaining a sist of diligence, or suspension of a charge, or threatened charge, to make such consignation, or to find such caution as the court or judge before whom the cause is depending may require.

"This section shall not apply to any case where the bill of exchange, bank cheque, or promissory note has undergone the sesennial prescription."

Schedule.

On the Motion of Mr. SOLICITOR GENERAL, the following Amendment made:

Schedule 2, page , at end, add—

Enactment repealed as to Scotland.

Session and Chapter.

19 and 20 Vic. c. 60, in part.

Title of Act and extent of repeal.

"The Mercantile Law (Scotland) Amendment Act, 1856," in part (that is to say):—
Sections 10, 11, 12, 13, 14, 15, and 16.

Bill *reported;* as amended, to be considered *To-morrow.*

PUBLIC OFFICES SITE [ANNUITIES AND EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of any terminable annuities which may become payable to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in respect of Crown Lands; as well as the payment, out of moneys to be provided by Parliament, of any expenses which may be incurred by the Commissioners of Her Majesty's Works and Public Buildings, under the provisions of any Act of the present Session for the acquisition of property, and the provision of new buildings for the Admiralty and War Office.

Resolution to be reported *To-morrow,* at Two of the clock.

BOMBAY CIVIL FUND [REVENUES OF INDIA].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the making provision for the transfer of the Assets and Liabilities of the Provident Branch of the Bombay Civil Fund and other funds to the Secretary of State for India in Council, and of charging the Revenues of India with the liabilities of the said funds and the payments of annuities and pensions.

Resolution to be reported *To-morrow,* at Two of the clock.

POST OFFICE—MAIL CONTRACT (SCRABSTER, SCAPA, AND STROMNESS).

RESOLUTION.

Resolved, That the Contract entered into with the North of Scotland and Orkney and Shetland Steam Navigation Company, for the conveyance of Mails between Scrabster, Scapa, and Stromness, be approved.—(*Mr. Courtney.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 4th July, 1882.

MINUTES.]—*Sat First in Parliament*—The Earl of Wilton, after the death of his father.

PUBLIC BILLS—*Second Reading*—Local Government (Ireland) Provisional Orders (No. 4) * (171); Parliamentary Oaths Act (1866) Amendment (111), *negatived;* Highway Rates and Expenditure * (173).

Committee—Merchant Shipping (Colonial Inquiries) * (164).

Report—Tramways Provisional Orders * (125).

Third Reading—Local Government Provisional Orders (No. 9) * (147), and *passed.*

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (NO. 4) BILL.

Moved, That the order made on the 24th of March last "That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 20th day of June next," be dispensed with, and that the Bill be now read 2ª; *agreed to;* Bill read 2ª accordingly.

PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.

(*The Duke of Argyll.*)

(NO. 111.) SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF ARGYLL, in moving that the Bill be now read a second time, said: My Lords, it will be in the recollection of the House that at an early period of the Session—now three months ago—the attention of your Lordships was called to the question of Parliamentary Oaths by no less an authority than the noble Earl the Chairman of Committees (the Earl of Redesdale). Although the proposal then made by the noble Earl did not receive the sanction of the House, and although, indeed, I might safely say that after debate it did not commend itself to the judgment of any portion of the House, yet I am sure that it was not felt that my noble Friend had opened the subject unduly, or had proposed to interfere with a state of the law which was highly satisfactory. My noble Friend, whose earnestness and sincerity of character are well known, was evidently moved by deep concern for the grave scandals which have arisen under the present law, and for the still graver scandals which are likely to arise in the future. I am not surprised at the terms of the Motion in opposition to this Bill which is about to be moved by my noble Friend opposite (the Earl of Carnarvon). I perfectly understand the attitude of mind in regard to this subject which is represented by the Amendment of my noble Friend. How should I not understand it when, up to a late period, it had been the attitude of my own mind with respect to it? Of course, in the year 1880, like others, and especially the Members of the Government, I knew the discussions which arose out of the existing state of the Parliamentary Oaths Act; and, like others, I foresaw the inevitable result. Looking at the condition of our society, looking at the condition of the Christian world with regard to these questions of Atheism and of Deism, and of speculative opinions on such subjects—I foresaw the inevitable result of a contest on this subject; but I am bound to say that so distasteful to my mind was the conclusion which I saw to be inevitable, that I was glad to take refuge, as my noble Friend opposite wishes this House to take refuge, in procrastination and delay. When conclusions are presented to us which we deeply dislike, it is natural to take refuge in delay; and I am bound to confess that I would willingly fall back upon the belief that the Parliamentary Oaths Act was not a question likely at present to be raised in the House of Lords, and I was very glad to leave it to those Members of the Government who are Members of that House in which the question was raised. But, my Lords, subsequent events, and, I am bound to add, the speeches made in this House upon the Bill of my noble Friend the Chairman of Committees, have compelled me to give fresh attention to the subject; and I am now bound to the deep conviction that nothing more injurious than the present state of the law could exist to the character and reputation of public men and the dignity of Parliament, and, above all, to the interests of morality and religion. My Lords, this is the conclusion which I am here to-night to support in the hearing of this House, and, through this House, in the hearing of the people of England. I wish to direct the attention of the House, first, to the question, What is the law? and, secondly, to the question, What is the application of that law to the existing state of facts before us? During the time which has elapsed since I gave this Notice, I have been overwhelmed with letters from all sorts of persons; but I have observed this with regard to them, that in almost every case the writer seemed to be very imperfectly informed, or totally uninformed, as to the state of the present law, and as to its bearing upon the facts of our Parliamentary experience. Let me, in the first place, direct the attention of the House to the state of the existing law. The Parliamentary Oath, as it now stands, is regulated principally by the Act of 1866, which establishes the Oath of Allegiance, which is familiar to your Lordships. After providing for that Oath, the Act of 1866, in the 4th clause, says—

> "Every person of the persuasion of the people called Quakers, and every other person for the time being by law permitted to make a solemn affirmation or declaration, instead of taking the Oath, may make a solemn affirmation or declaration."

In the year 1869 another Act was passed, not with reference directly to the Parliamentary Oaths, but in regard to evidence given before Courts of Justice; and the terms of that Act are these—and it is very important that the House should attend to the words—it provides in the Preamble that in Courts of Justice the object is the discovery of the truth—

> "Whereas the discovery of the truth has been signally promoted by the removal of restrictions upon the admissibility of witnesses;"

and it provides that—

> "If any person called to give evidence in any Court of Justice, whether in a civil or criminal proceeding, shall object to take the Oath, or shall be objected to as incompetent to take the Oath, such person shall, if the presiding Judge is satisfied that the taking of the Oath would have no binding effect on his conscience, make the following declaration."

Now, my Lords, this was the state of the law when these circumstances arose which called the attention of Parliament to the subject. Several friends of mine, with reference to the Notice I have given, have warned me that I was undertaking a very difficult task; because, although they agreed with me in the abstract proposal I was about to make, they thought I should dissociate the abstract merits of the Oath from those circumstances and personal cases which have raised so much scandal in the land. My Lords, I know too well the nature of the Assembly which I have the honour to address to suppose that I should gain anything by an artificial statement of the question; and besides, instead of those circumstances militating against the argument which I have now the honour to address to this House, in my opinion there could be nothing so conclusive as showing the evil of the present Oath as applicable to the existing condition of matters. Therefore, the House must allow me to go in some detail into the narrative of the circumstances. In doing so, I shall refer merely to what appears in the Journals of the House of Parliament which are accessible to us, and will say nothing of the words spoken in that Assembly. On the 3rd of May, 1880, one of the Members for Northampton came to the Table of the House of Commons and laid upon the Table the following written demand:—

> "I, the undersigned Charles Bradlaugh, beg respectfully to claim to be allowed to affirm as

'a person for the time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath.'"

Now, when laying that Paper on the Table of the House, he was asked by the Clerk upon what Statute, or in virtue of what law, he made that claim? His reply was, that he made it by virtue of the Evidence Amendment Acts, 1869 and 1870, the terms of which I have just read to the House. Thereupon the Member for Northampton was informed by the Speaker that, it being a matter of grave doubt whether his claim could be admitted, he would be permitted to address the House of Commons in support of it; whereupon the Member for Northampton used these words—

> "I have repeatedly for nine years past affirmed in the highest Courts of Jurisdiction in this Realm."

Your Lordships will now observe the effect of these formal declarations of the Member for Northampton. It put the House of Commons in formal and official possession of the fact that the Member for Northampton was an Atheist, upon whose conscience an Oath had no binding effect. He pleaded his right to affirm under the Evidence Amendment Act, and that Act allows a man to take the Affirmation instead of the Oath if the Judge presiding in Court shall be of opinion that an Oath has no binding effect upon him. The result, therefore, of these declarations of Mr. Bradlaugh was clearly to place the House of Commons in possession of the fact that he was an individual upon whom an Oath in itself had no binding effect. Therefore, the House of Commons appointed a Committee to consider the claim made by Mr. Bradlaugh to affirm in the House of Commons under the Evidence Amendment Act. That Committee reported in the following terms:—

> "That, in the opinion of the Committee, persons entitled under the provisions of the Evidence Amendment Act (1869-70) to make a solemn declaration or affirmation instead of an oath in Courts of Justice, cannot be permitted to make a Declaration or Affirmation in place of an Oath in the House of Commons."

The Committee came to that finding by a majority of 2, but still by a majority, that Mr. Bradlaugh had no right under that particular Statute—that he was not competent as one of the persons who under that Statute had the privilege of substituting an Affirmation for an Oath. Now, my Lords, the next step was that the Member for Northampton, finding that he was precluded from affirming, made an endeavour to take the Oath. That being objected to, a second Committee was appointed by the House of Commons to consider whether Mr. Bradlaugh was entitled, after the Declaration he had made at the Table of the House, to swear as an ordinary Member. That Committee reported as follows:—

> "Your Committee are of opinion that under the circumstances (that, of course, refers to the Declaration which had been made by Mr. Bradlaugh), the taking of an Oath by Mr. Bradlaugh would not be the taking of an Oath within the meaning of the Statute, and, therefore, the House can, and in the opinion of the Committee ought, to prevent Mr. Bradlaugh from going through this form."

But they recommended that, in order to test the legal question, the Member for Northampton should be allowed to affirm, subject to the penalty which anyone might sue for in a Court of Justice. The House did not at first adopt the recommendation of the Committee. On the contrary, they came to the resolution on the 23rd of June that they would not allow the Member for Northampton either to swear or to affirm. But on the 1st of July, 1880, I believe under the influence of the Government, the House of Commons came to a contrary Resolution. That Resolution was as follows:—

> "That every person returned as a Member of this House, who may claim to be a person for the time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath, shall henceforth be permitted, without question, to make and subscribe a solemn Affirmation subject to any liability by Statute;"

and this Resolution was not only passed by the House of Commons, but it was subsequently passed and made a Standing Order of the House. Your Lordships will thus see that, so far as the House of Commons is concerned, the law of the House of Commons is that in future any Member may come to the Table and ask to be allowed to affirm without any question being put to him, either by the Clerk or by the Speaker, subject to any penalty by Statute. I do not think now what may be the final effect of this Resolution; but it appears to me it is a Resolution in virtue of which the House of Commons has absolutely disclaimed, as a House, the duty of maintaining the present law, which refuses Mr. Bradlaugh, and such as Mr. Bradlaugh, the right to affirm. In virtue of that Resolution, Mr. Bradlaugh came forward to take the Affirmation. He was allowed to take the Affirmation without question, and in virtue of that he sat and voted for five months in the House of Commons. The legal question was then raised by a private person. It was brought before a regular tribunal in the form of a suit. The next step was the decision of the Court—namely, the Court of Queen's Bench. Mr. Justice Mathew, who delivered the decision, held that the Evidence Amendment Act applied only to the class of persons who were allowed to make an Affirmation instead of an Oath, and that the Parliamentary Oath was not within the purview of that Act. The question was brought before the Court of Appeal, which confirmed the decision of the Queen's Bench Division. The decision of the Court of Appeal was delivered by three eminent Judges who presided over it. Your Lordships have now the honour of having as a Member of your House the noble and learned Lord (Lord Bramwell), who first delivered judgment, and whom I believe I have the honour of addressing to-night. The noble and learned Lord said he thought it was perfectly plain that the defendant was not entitled to affirm, or to declare, by virtue of the Act, for the further amendment of the Law of Evidence. The same decision was given by Lords Justices Baggallay and Lush. Though the decision of these two Courts was quite unanimous, an opposite opinion was maintained in the Committee of the House of Commons, which included both the Law Officers of the Crown, two eminent Queen's Counsel, and, I believe, another eminent lawyer. In the Courts of Law, the Judges had not the least doubt about the question. We are entering upon a period of political agitation and speculation, in which these rights and obligations of men are subjected to the closest scrutiny from many different points of view; and I confess I am not a little alarmed by the arguments which have been addressed by many eminent lawyers in regard to some of these matters. I gather from the fact that these eminent lawyers have given their opinion upon this question, differing so materially from those of the Judges, that we cannot safely trust this question to the decision of any body or any legal authority, except the trained and responsible interpreters of the law. I must say I envy the position of the noble and learned Lords who, on that Bench, have sometimes to deal with arguments which have been clearly governed by circumstances of political convenience or popular feeling. I now ask your Lordships to look to the effect of the decision which I have brought under the consideration of the House. It is now settled that under the existing law no person can come to the Table of either House of Parliament and claim the right to substitute an Affirmation for an Oath, because there are certain Atheists to whom the privilege has been given of making an Affirmation instead of taking an Oath in Courts of Justice. The contest now entirely turns on the question whether these Atheists can or cannot be allowed to swear? It is perfectly true that the Committee of the House of Commons decided that an Atheist, who had declared himself so at the Table of the House, was not entitled to swear. But, remember, that the decision had reference solely to the fact that he had made that declaration in that Parliament, and at the Table of the House, confessing that he had claimed the right to affirm as an Atheist in a Court of Justice. Remember that the Committee distinctly disavowed any right on the part of the House to cross-question any man in regard to his religious belief. This is a most important matter, and I beg the attention of the House to it. The Committee, when they found a verdict against Mr. Bradlaugh's right to swear, said that their decision did not imply that the House of Commons possessed any power to interrogate any Member desiring to take the Oath of Allegiance upon any subject connected with his religious belief, or upon the question whether the Oath would bind his conscience. The decision of the House of Commons, refusing Mr. Bradlaugh the right to swear, was founded, and founded alone, upon the fact that he had been misinformed as to the legal effect of the Evidence Amendment Act, and, under the influence of that mistake, he had unadvisedly confessed that he was an Atheist, and that the Oath was not binding upon him. The result is, that for the future—and I beg your Lordships to look to this—there will be no impediment whatever in the way of Mr. Bradlaugh, or any other Atheist, to take the Oath at the Table of the House. The House of Commons has repudiated any right to interrogate any man as to his religious belief; and I am sure your Lordships will feel and see, if you choose to pursue the question, that it would be impossible to admit that right, because no man knows where it would stop, or how far such an interrogation might go. We have, therefore, this fact clearly before us—that the exclusion of Mr. Bradlaugh, in respect to taking the Oath, is a purely accidental exclusion. There is some doubt as to whether it applies even in his case, after he has been re-elected, because he returns a new man; and it is possible that, in the interval of time, he may become convinced of the reality of God, and might be willing to take the Oath under the belief in a God; but the House of Commons has ruled against that view of the question. There is no doubt whatever of this—that in a new Parliament, or a new constituency, where an Atheist may be elected, he would have nothing more to do than to take warning of the accidents and the calamity in which Mr. Bradlaugh fell, in making an illegal claim, and then he would be perfectly free and open to become a Member of the House of Commons. I will not stop to inquire whether those are right or wrong who have expressed such great blame on Mr. Bradlaugh for the course which he has chosen to take in offering to take an Oath in the sanctity of which he did not believe. It would be a waste of the time of this House. I know of no standard by which to judge of the immorality of a man who has persuaded himself to say in his heart that "there is no God." I do not deny that he may have a standard of his own. He may have that standard founded on the utilitarian theory of morals, which, as a matter of speculation, at any rate, has recommended itself to many powerful minds. He may have a standard derived from those traditional feelings of virtue and of honour which I believe come to us mainly from the Christian faith, and which may dwell in many minds after that faith has been abandoned, just as the light at this time of the year lingers after the sun has set. But these are questions into which it is no use to enter. But this I am bound to say in reference to the conduct of such a man—that if he proclaims beforehand and out of the House, although not in it, that he takes the Oath as a mere form, he does something at least to set himself right with the honour and conscience of mankind. There are others, whom I confess I am surprised at, who say they are indifferent to the fact that Mr. Bradlaugh was willing to take the Oath, although not believing in the existence of a God. I believe in the language which has been held on this subject by a man who, I believe, as much as any other, represents, I am happy to say, the feelings and consciences of the working classes of this country, many of whom stray loose from Christianity. I do not know whether your Lordships noticed some weeks ago a letter from Mr. Holyoake in one of our weekly journals, in which he speaks of the indifference with which many public men seem to regard the fact that Mr. Bradlaugh was willing to come to the Table of the House of Commons and take this Oath, although he believed that the words "So help me God" were an empty form. Mr. Holyoake says Petitions are sent from many towns—I wonder whether any Petitions presented against my Bill come from the same towns which have presented Petitions to which Mr. Holyoake refers. Petitions are sent from many towns praying that a Member may take the Oath who does not believe in its terms; and a Nonconformist minister—I omit his name, because I do not wish to introduce personalities in this discussion—has entreated the House of Commons to assent to it, and several other ministers have taken part in demanding that this shall be done. Now, what does Mr. Holyoake say?—

> "The Jesuits have never openly maintained a doctrine more intrinsically immoral than this. The one principle by which Christianity has commanded the respect even of dissentients has been its profession that truth is higher than any consequence."

And he went on to say—

> "The legal doctrine of Parliament is, that every Member has a right to take the Oath who is willing to take it; but that right assumes at the same time that he who takes it believes in its terms."

I entirely agree with Mr. Holyoake, and I point to the fact which he points to—that Nonconformist congregations without number, and towns in considerable number, have sent Petitions to Parliament asking that Mr. Bradlaugh should be allowed to take the Oath, without uttering or feeling any compunction whatever as to the scandalous immorality of the transaction. Let us look at the demoralizing effect of the present state of the law. Let me go from Mr. Holyoake to a much more distinguished man—so distinguished a man, I think I may say so great a man, as Mr. John Stuart Mill. I am not one of Mr. John Stuart Mill's disciples. I dissent from many of his views, and I think there is much mischief in many of his writings; but no man can have studied those writings, no man can have known him personally, as I had the honour to do, without feeling that Mr. John Stuart Mill was a very high-minded man, and a very pure-minded man, and what you find him saying is a significant indication of what an honourable man will be brought to think and say in respect to taking the Oath under certain circumstances. Mr. John Stuart Mill, in answer to a question which was put to him by Mr. Holyoake, says distinctly—

> "You may justly take to yourself (addressing Mr. Holyoake) a good share of the credit of having brought about things up to the point at which the Evidence Amendment Act was passed. With regard to taking the Oath, I conceive that when a man has made that a condition of the performance of a public duty, he may take it without dishonour, although he is a person who avowedly feels no binding force in the religious part of the formality."

I confess I was shocked by the views and opinions of Mr. John Stuart Mill. I agree with Mr. Holyoake that it has an immoral effect, and that it has a demoralizing effect upon the public mind. Now, this is the position of affairs before us. Whatever be the fate of Mr. Bradlaugh in this particular Parliament or in this particular Session—whatever may be the decision of the legal tribunals with regard to this, the fact is quite certain that, in a new Parliament, and in other new constituencies where any Atheist may be elected, he may come to the Table of the House of Commons and take the Oath without a single question being put to him; and the House, having repudiated the right of asking questions with regard to occurrences outside the walls of St. Stephen's, even Mr. Bradlaugh may in future Parliaments come to the House immediately after speaking in opposition to our holy religion, and claim to take the Oath, and no one would have a right to ask him a question about his belief. It is no wonder that my noble Friend the Chairman of Committees (the Earl of Redesdale) was scandalized at the present state of the law and the prospect which was before us. My Lords, let me direct the attention of the House to this fact—that the Bill which was introduced by my noble Friend was a public confession that the present Oath could not prevent an infidel taking his seat in Parliament. The very title of that Bill was—"An Act to make Provision to exclude Atheists from taking part in the Legislation of this Country." If the present law excluded Atheists, there was no need of my noble Friend's Bill. It was quite certain that the present law could not exclude Atheists; and here let me observe that, whilst this Oaths Bill will certainly not exclude Atheists, it is just possible it may exclude someone. If that fact be kept in view, only two courses appear to be open to us. It is perfectly certain we cannot stay where we are; it would be revolting to the public conscience, and lead to consequences still more revolting. There are, therefore, but two courses open. The one is to follow the course recommended by my noble Friend, and to invent a new religious test to be added to the present Oath; the other is to give up the pretence that Parliamentary Oaths can be made actually effective to prevent Atheists entering Parliament. The Bill of my noble Friend was really one to convert the Parliamentary Oath into a religious test. The very minimum effect of such a proposal would be to provide a preliminary declaration of the belief in the existence of an Almighty God. The first objection which recommends itself to my mind is this—that the mere declaration of a belief in a God is of no value in itself whatever. I hope no Member of this House will suppose I intend to say that the belief in the existence of God is not of the greatest use as the foundation stone of religious belief; but what I say is this—that the bare declaration of a belief in the existence of a Divine Being, and without reference to His attributes and His power, is of no value whatever. In saying this, I need not remind your Lordships that I do not use language which is inconsistent with the most solemn declarations of the Divine law. The Creeds and Confessions of the Christian Churches do all universally proceed to add to their faith in a God certain doctrines with regard to His attributes and character. We are told in the Divine Word that we must not only "believe that He is, but that He is the Rewarder of all they that diligently seek Him." I may remind the House that we now know that no less distinguished a man than Mr. John Stuart Mill was inclined to believe in the existence of a Divine Being, but distinctly held the view that He was not omnipotent; and yet Mr. John Stuart Mill took the Oath without the smallest reluctance, and sat for several Sessions in the House of Commons. In my opinion, this is not a fit medium for a religious test. The Oath taken in the Northern part of this country, in Scotland, is much more solemn in its form than the English Oath, respecting which we are discussing the present proposal. Nothing can be more solemn than the Scottish Oath, or approach more nearly to a declaration of religious belief. No one who has seen the Oath administered in a Scottish Court of Justice can ever forget the solemnity and impressiveness of the scene. The Judge says to the witness—

> "Hold up your hand and repeat after me these words—'I swear to Almighty God, as I shall answer to him at the Great Day of Judgment, that I shall speak the truth, the whole truth, and nothing but the truth.'"

That is something more near a declaration of religious belief than the mere words "I swear," and "So help me God" at the end. The alternative of making the Oath a real religious test was objected to in the debate by two distinguished Members of this House—one was my noble Friend opposite (the Earl of Shaftesbury), who of all men is entitled to speak for the working classes of this country; the other was my right rev. Friend—if he would allow me to call him so—who presides over the Diocese of London. My noble Friend (the Earl of Shaftesbury) objected to the proposal on the ground that the working classes were, of all things, jealous about what concerned matters of faith. I believe the time will never come when the services of my noble Friend to the working classes of this country will be forgotten, or that they will ever deviate from those principles which will naturally follow in their minds from the authority of his life, and the belief which it inspires. But what I think my noble Friend meant was that the working classes are especially jealous of the application of Parliamentary law to matters of religious belief. That is an argument which strikes at all attempts to convert the Parliamentary Oath into a religious test. The right rev. Prelate has a higher and still deeper objection; it is—and never did I hear a wiser speech from a Prelate of the Christian Church—that there are many men who may be speculative Atheists, because they have a difficulty in believing in the personality of the Divine Being, and who would object to a question being put to them as to belief in a personal God. And the right rev. Prelate gave it as his solemn advice to the House not to ask those people to commit themselves to this question of doctrine, whether they believed in a God or not; but to leave it to their own consciences. The suggestion occurred to my mind, while the right rev. Prelate was speaking, that I never feel quite sure that there is such a thing in the world as a real, pure Atheist. I always suspect that there is in all the phases of mind of all men some fear, at least, of the awful presence in which we stand; and I am often confirmed in this belief when I see the violent passion with which the negative position is sometimes taken up. Why should there be that passion? Why should there be that heavy sea on that little bit of water? Why is it? Because there is in the minds of most men a kind of real fear, a real feeling that there is a Divine Being who rules over all. On all these grounds, I say we neither can nor ought to convert the Parliamentary Oath into a real test of religious belief. I say that we are driven to the other alternative, and that is—to give up altogether the idea of converting the Parliamentary Oath into a religious test. And so evident was that feeling in the House when my noble Friend brought forward his Bill, that there was but the scantiest attendance of Peers, while the Spiritual Estate was represented by a single Bishop. That was not because they were indifferent; but because they knew that the condition of things made it impossible for such a Bill to pass. What, then, is the value of the present Oath? It is, it may be said, a declaration of belief in a Divine Being, which you ask from every man. It appears to me that every objection urged against the new declaration proposed by my noble Friend's Bill told against the present Oath, if you put upon it the condition to which I have referred. I say, then, the only alternative is to ask men to give whatever promise you like under whatever form is most binding upon their conscience. That is all the power you have, and I think it is all the power you have a right to ask. The Bill simply extends to all persons who object to take an Oath that declaration which is now allowed to certain religious sects. There is a curious anomaly in the present state of the law in regard to these sects. Not only are Quakers, Moravians, Separatists, and others specially allowed to make an Affirmation, but also individuals who have been members of those bodies. But if a man has been ejected from these bodies for grossly immoral conduct, or has abandoned their particular form of religion, he, under existing law, would be a privileged man, and would be allowed to make an Affirmation which honest objectors to an Oath, not a member of these bodies, would not be allowed to do. This Bill meets both classes of objections; it simply provides that all persons may make an Affirmation to whom the Oath is objectionable upon any ground whatever. It would include all those now excluded. It would include Atheists without the necessity of making them go through the form of taking the Oath, and would simply exact the promise required by Parliament in the form of a solemn Affirmation, which is binding upon the conscience of the man who takes it. There is one objection which I have heard stated to the Bill since I gave Notice of it, to which I am bound to make some reference. It is a very plausible objection, and one which, if well founded, would be a great objection to my own mind. I think very likely it may tell in the minds of some noble Lords opposite, as well as noble Lords who sit on this side of the House—I have heard it stated in private by a noble Earl sitting on this side of the House—that at the present moment it appears as if this House were inclined to decide in favour of Mr. Bradlaugh, the Member for Northampton, against the majority of the House of Commons who wish to keep him out. I should say that is an objection which, if it were true, is not fatal, because this House has a perfect right to take its own opinion. The other House may express its own opinion and reject the Bill. This House is perfectly entitled to have its own opinion, and if it comes to the conclusion that the present state of the law is demoralizing to the public mind, the House has a right to express its opinion. But I am bound to say that if it appeared at the present moment to be so, I should think it a very serious objection to the Bill. But your Lordships will see it is an entire misapprehension of the fact. The House of Commons had had three contentions with the Member for Northampton, and, in my humble opinion, the majority of the House of Commons has been absolutely right in every one of them. The first contention was that Mr. Bradlaugh, under the existing laws, had no right to affirm. That contention of the majority of the House of Commons has been sanctioned by the highest legal Court of Appeal in this country. The majority of the House of Commons have a right to prevent Mr. Bradlaugh, under the existing law, from coming forward to the Table to affirm. The next contention was that after the declaration he had made at the Table, the House had a right to say that the taking of the Oath by him would be invalid; that his oath was no oath, and that it was not binding on his conscience. That is not a question which can be submitted to Courts of Law. It is a question which the House of Commons, judging of its own honour, has a right to decide. Although my opinion is of no importance in the matter, yet I bring forward my Bill entirely concurring in the opinion of the majority of the House of Commons that, under the circumstances of the case, they were right in preventing Mr. Bradlaugh from taking the Oath. Then the next contention was in respect of discipline. Mr. Bradlaugh was ejected from the House of Commons for conduct strictly contumacious. That action had no reference whatever either to the question of affirming or swearing; but simply with reference to the conduct of Mr. Bradlaugh at the Table of the House of Commons. Nothing in this Bill can interfere, or ought to interfere, with the discipline of the House of Commons in respect of its own Members; and I should like to add this, that, of course, we have no right to anticipate what may or may not take place in the other House in the future. On the 10th of March Mr. Bradlaugh circulated by post—it came to me by post, and I suppose it came to other noble Lords—a most violent and scurrilous attack upon the House of Commons in consequence of the vote of the 6th of March. I will not take up the time of the House by reading any part of that address. It was called "An Address to the Majority of the House of Commons," and, as far as I can judge, it is full of matter insulting to the House of Commons; and if the House should be of that opinion, there is nothing whatever in this Bill, or in any Bill which we would pass, which would prevent the House of Commons from continuing the exclusion of this particular Member on the ground of discipline. I will only add, in conclusion, that I have understood from the outset the attitude of mind that finds expression in the Amendment of my noble Friend opposite, and I hope that my noble Friend will not decline to consider the Bill from my point of view. I believe I have proved that the present state of the law does not exclude Atheists from Parliament. I have proved, secondly, that it is an inducement and inseparable temptation to Atheists to desecrate the Oath at the Table of the House of Commons. I have proved, therefore, that the present state of the law is most injurious to public morals, and I think I have done something to show that it has affected injuriously Parliament itself. I submit, then, that there is no other alternative before us than to abandon the religious test altogether. Now, what is the Amendment of my noble Friend? He does not meet my Bill in the face. He does not say it is expedient to maintain the present Oath because it excludes Atheists from Parliament. It is entirely with reference to temporary circumstances that my noble Friend asks the House to retreat from the adoption of this Bill. Now, my Lords, with these tremendous evils before us, and these greater evils which may be to come, it appears to me that this is simply flying from the inevitable conclusion. It is saying, "A little more sleep, a little more slumber, a little more folding of the hands in sleep." For a few months, possibly for a few years, you may have an interval during which Atheists without a word of question will take the most solemn Oath at the Table of either House of Parliament, and the New Testament will be kissed by other Bradlaughs. Is that a condition of things which this House is contented to allow to continue to exist for an hour longer? I am not. It is to prevent that state of things—the possibility of sacrilege of our holiest religion from being transacted at the Table of either House of Parliament—that I now move the second reading of this Bill.

Moved, "That the Bill be now read 2ª."—(*The Duke of Argyll.*)

THE EARL OF CARNARVON rose to move, as an Amendment—

> "That nothing has arisen in the proceedings of this House which makes it expedient at this time to propose a change in the existing Parliamentary Oath."

He admitted that there were many and great recommendations in favour of the course which his noble Friend asked the House to take. He had the recommendation of his own great oratory, of which he was an admired master in the House; he could point to the present state of the law, to its most unsatisfactory condition and to its anomalies, and could describe the abominable profanation that had recently occurred; and last, but by no means least, he could produce a very short Bill—an achievement which in these days had no small merit in the eyes of Parliament. He could make his noble Friend a present of many of the arguments he had used, and would go so far as to admit that the existing Oath did not give an effectual security against the admission of Atheists to Parliament. He would concede at once the justice of all his noble Friend had said as to the profanity that had been perpetrated in the other House, and as to the way in which religion had been trampled under foot; and he would admit that currency had been given to destestable opinions out-of-doors. Those of his noble Friend's premisses he admitted willingly, but he could not accept the conclusion that had been drawn from them. Granted that the present state of things was bad; granted that the future prospect was bad also; the admission constituted no reason for wholly doing away with that which, after all, gave a certain security for morals and religion.

His arguments were substantially three—first of all, he did not think that the measure in itself was one that could be accepted; secondly, even if it were, this was not the place to consider it; and, thirdly, this was not the time when such a Bill ought to be adopted. He discarded altogether the supposed objection that their Lordships, by accepting this Bill, would disagree with a majority of the House of Commons. There was a very serious objection to the Bill in the fact that it was an optional Bill, and that it would place a believer under the obligation to take the Oath, while it would exempt the Atheist from any such obligation. If there were to be legislation at all, it ought to be uniform; it certainly ought not to be optional, giving the privilege to those to whom it was least desirable to give it. This was not the place in which such a measure ought to be passed, because the difficulty had arisen in the House of Commons. For a long time past there had been a wise comity between the two Houses, which had hindered one from interfering in the transactions and affairs of the other, and he would be slow to disturb such a relation. His noble Friend might say, as his speech implied, that it was for the advantage of the House of Commons that this House should step in and extricate them from that difficulty. He was not sure that that might not be regarded as a dangerous interference. On one occasion this year, at the instance of the Prime Minister, a Vote of Censure was passed upon this House because they had interfered with certain matters; and he thought it was wise in a case like this that they should not stir up division. But even if this were the right measure and the right place, he should strongly demur to its being the right time. His noble Friend was far too experienced a politician, much too great a master of oratory, not to know that he would have served his case very much better had he been able to dissociate it from the case of Mr. Bradlaugh. He believed his noble Friend would have had the opinion of the House upon the abstract merits alone; but do what he would, he could not dissociate this Bill in the mind of the House from the case of Mr. Bradlaugh. If they passed this Bill, they passed a Relief Bill for Mr. Bradlaugh, and who was he to whom Parliament was invited to grant this relief? Was it the case of one with a tender conscience, scruples, conscientious doubts? It was one who had avowed himself an Atheist, and then expressed his readiness to take the Oath, though he knew that it could have no binding effect on his conscience. It was one who had not confined himself to this, but who, far and wide through the country, had shocked the whole moral sense of the community, had shocked the public decency, and had offended all those who, in the simplicity of their hearts and in the quiet of their homes, desired to worship the God of their fathers, as previous generations had done. With this Bill indissolubly connected with such a man they had a right to ask whether it was a case in which the House ought to interpose. The Bill touched the whole foundations of civil government. There was a time when this country was of one single religion; that time had passed away, and they had widened the area to the cases of Nonconformists, Catholics, and Jews; but they had preserved the common ground that all recognized one Father, the sanction of whose name they were willing to invoke in public acts. For his own part, he believed that when once a country became godless, its legislation could not be wise; and when once the fear of God ceased to be, the fear of man would not be of very long existence. Hitherto, in every public act, they had not been ashamed to appeal to the name and the sanction of God. Even in the case of the wisest heathens in old times, they were not willing to depart so far from the Almighty Maker; and the greatest orator of Rome was contented to say, in a well-known passage, that it was not by the numbers or physical strength of the Roman people that the Empire of the world was achieved, but by the belief in the moral government of God. So he held that, whenever this nation should throw aside the God-fearing, God-recognizing character which it had hitherto held, from that time he could augur but evil for the future. He did not see that he could answer his purpose by following his noble Friend into the history of Parliamentary Oaths, or into the case in the House of Commons. The latter was a most painful history, and, perhaps, not the least painful thing had been the conduct of the Prime Minister on this question. He did not wish to mix up Parliamentary considerations in a question of this kind; but he would say this—that if there was any one thing that had grieved and disappointed those who knew the Prime Minister, and who admired his great abilities in happier and better times, the conduct which he could reconcile to his conscience and adopt on this occasion had gone far to change that opinion. He did not think he need follow his noble Friend through the history of previous debates in this House, except to say this—that just as the House was unwilling then to tighten the Parliamentary Oath, so he believed on this occasion it would be found unwilling to relax it. As to the form of the Motion which he had adopted, he might be asked why he had preferred this indirect form to a direct negative? His first reason was the respect which he thought was due to the character and position of his noble Friend; and, secondly, he was quite willing to admit that if this question were not raised incidentally by the case of Mr. Bradlaugh, he, for one, should be quite willing to argue the question of declaration in lieu of oaths on purely abstract grounds. He was ready to admit that the Parliamentary Oath was not the best test of religious faith. It was of necessity a very bad test. The Parliamentary Oath differed from that taken in the Law Courts, because in them a penalty was attached to perjury. There were two questions which were indirectly raised by his noble Friend's statement. He had alluded to the case of the Quakers. In his opinion, that differed *toto cœlo* from the case of the Atheist. The Quaker declined to take the Oath on account of his excessive reverence for the Word of God. The Atheist, on the other hand, declined to take it because he treated it as a mockery. Then his noble Friend said they were already powerless to keep out Atheists from Parliament. His answer was that if the Atheist was dishonest—if his conscience was not sufficient to deter him from the sin he committed of taking an Oath in which he did not believe—then he admitted that the Oath did not afford any security; it must be left to the Great Searcher of hearts to decide upon the extent of his sin. But to say that because the Oath had been abused therefore it must be abolished was a perversion of all knowledge. His noble Friend had, as he had already said, introduced this Bill from the best motives; but he would observe that only a short time ago the National Assembly of France had passed a Resolution abolishing the Oath. The Oath had been swept away, and with it all the external forms and symbols of religion had disappeared from the French Law Courts. On that occasion arguments were used and a spirit was shown which recalled to mind the days of the Revolution and the spirit that led to the enthronement of the Goddess of Reason. It might be said that this was part of the great wave of free thought which was sweeping over the countries of Europe; but this was an instance not of free thought, not of irreligion, but of the anti-religious spirit which had gone so far as to poison the political, religious, and social life of the people. He did not himself believe that this spirit would permanently prevail; but that the wisdom and truth of God would, in the long run, be found to do so. He believed that it was only the fool who said in his heart "there is no God." There were only two methods by which men could meet this spirit; one was by concession and the other by resistance. His noble Friend proposed to cut away all those formulas and all those limits which he would term political weakness, but which had arisen and grown up partly from a religious spirit and partly from principle. He did not think that was the time or the place for volunteering a measure of relief for one who had avowed himself an Atheist, and desired the destruction of the religion of this country, and of all associations that were nearest and dearest to them. For these reasons, though his respect for his noble Friend prevented him from moving an entire negative, he, for one, would be no party to the second reading of this Bill. The noble Earl concluded by moving the Amendment of which he had given Notice.

Amendment *moved*,

To leave out from ("That") to the end of the motion for the purpose of inserting the following words ("nothing has arisen in the proceedings of this House which makes it expedient at this time to propose a change in the existing Parliamentary Oath.")—(*The Earl of Carnarvon.*)

THE ARCHBISHOP OF CANTERBURY said, he had been endeavouring to free himself from the influence of the eloquence of the noble Duke, and to ask himself what was the logical argument upon which the noble Duke wished the House to give a second reading to this Bill. Would not this be a fair compendium of his argument—that because one man, who had been elected by a constituency to sit in the House of Commons with the universal reprobation of the better classes of society in the highest sense of the term, including the lower as well as the higher strata of society, had refused to take the ordinary Oath, whereby he invoked the name of God, and had been refused admission several times to the House of Commons—therefore this Bill should be passed to relieve him, although he had appealed to the highest Courts in the Realm, and they had decided that he was wrong? The noble Duke had spoken of this person in terms which showed that had he been one of the electors of Northampton he would not have been one of his supporters, and he had argued that the doors of the House of Commons should be opened, and the Constitution be altered, to allow this individual to be admitted. He could not separate the case of this person from the general principles which the noble Duke had enunciated. They were told it was wrong to make the taking of an Oath a religious test. Well, it was not the most convenient way, certainly, of having a religious test; but we here in England were a practical people. He was old enough to remember the discussion which took place on the subject of the admission of Jews to Parliament; and he had never heard that, supposing it were right that Jews should be excluded, it was a thing altogether inconsistent and improper in itself that the mode of excluding them should be the very Oath in connection with which Mr. Bradlaugh was now excluded. The general principle condemnatory of all Oaths was not then brought forward, and he did not see that the present case necessitated the adoption of that line of argument. It was quite an open question whether it was a good thing to keep our Oaths at all. That had nothing to do, or very little to do, with the particular case before them at the present moment. They were told they had better make an arrangement in this particular case, because a whole stream of persons similar in character to him who had been so aptly described by the noble Duke were likely to be returned by the constituencies. He did not think so badly of the constituencies of England. He did not think so badly of the human race as to suppose that the constituencies were to be at once called upon to make arrangements for having the office of legislator in this country filled in the particular way which the noble Duke had pointed out. It was perfectly true that it was undesirable to have more Oaths than were necessary. A Christian, a gentleman, an honest man was as much bound by his promise as by his oath. What was the nature of the Parliamentary Oath? It was that the person taking it would be faithful and bear true allegiance to Her Majesty Queen Victoria. No one would say that there ought to be no promise made by those who were intrusted with the legislation of this great country; and, if they were to be bound by a promise, he did not see that it made much difference whether or no they were bound by Oath. He was not unwilling that, on any fitting occasion, the Oath should not be insisted upon if a promise would do equally well; but then came the question, were they to hold the doctrine that every man elected by a constituency was entitled to take his seat in the Legislature without looking to any of those arrangements whereby, in past times, our forefathers thought it well to make an accurate distinction between those who were fit to be legislators and those who were not? At present there were certain restrictions as to the persons who were entitled to sit in the House of Commons. No woman, however strong-minded, was allowed to sit in the House; and no minor, however precocious, was permitted to take his seat. For what reason he did not know, no clergyman of the Established Church was eligible as a Member of the House. Why one of the restrictions maintained should not affect the case of a man who had publicly renounced all belief in what they held to be the very foundation of Christian morality and Christian philosophy, upon which all social life depended and which kept society together, he was at a loss to understand. If any mode should be devised whereby they could secure that such men would not use their influence as legislators for the destruction of the very society for which they legislated, there might be no need for such a restriction; but so long as there was opportunity for the persons who lived by agitation against our social life, and against every sanction upon which our political and social life depended, to use the position in which they found themselves to destroy the political and social life which they were placed in office to maintain, he thought that it would be unwise to alter the law. He could conceive that there was an infinitude of questions of social philosophy that ought to be considered in dealing with this question; but until each of those questions presented itself for consideration he did not think that it would be well to tamper with our existing system, although there might be things in it which they would be glad to see altered. Before he concluded, he wished to say that he had thought it his duty to speak upon this subject as the Head of the Church of England in that House. He held in his hand a paper showing that the sentiment of the clergy of the Church of England generally, as well as of the great majority of the ministers of religion throughout the country, was opposed to the present Bill. The paper was supported by the heads of the Roman Catholic Church, by the heads of the Wesleyan Body, by a great number of the ministers of the Established and the other Churches in Scotland. He could not help thinking that the Dissenting Bodies were more agreed upon this subject than could have been expected from what they heard at the last General Election. He could not also help thinking that there were many gentlemen belonging to Dissenting Bodies who had been carried away by the feelings of the moment at the last General Election, but who now would act differently.

THE EARL OF ABERDEEN: My Lords, I quite suppose that many noble Lords will be of opinion that, after the able speeches which have been delivered, it will be unnecessary that this debate should be prolonged before we come to a division. Still, I cannot help hoping that I am not altogether singular, at least among the supporters of the Bill, in wishing to abstain from a silent vote, on account of the peculiar importance of the matter, and the vital doctrines which are indirectly associated with it. In a word, it is, perhaps, reasonable on this occasion to wish to be able to say *Animam meam liberavi.* For my own part, this desire is increased after listening to some of the arguments of the noble Earl who moved the Amendment. The noble Earl said, in the course of his speech, that it was impossible to dissociate this measure from Mr. Bradlaugh and the proceedings which have recently taken place in the other House. Now, if the inference that the noble Earl intended to draw from that fact was that the supporters of this Bill are thereby indicating any support of Mr. Bradlaugh, or desire that he might have been, or may in future be, admitted to the House of Commons, I entirely demur to that inference. The noble Duke pointed out that the House of Commons had ample opportunity for debarring that gentleman from the House of Commons quite apart from the question of the Oath, owing to a certain address which he published reflecting upon the conduct of the majority. My Lords, I venture to think that this measure, emanating from your Lordships' House, if it be carried, will be a measure carried simply on grounds of public policy, and with sincere regard to the interests of morality and religion; for, however much we may regret the incidents which have taken place, and which have influenced the noble Duke in bringing forward this measure, we cannot ignore them. They are matter of history. We may regret them, and wish to forget them; but we may be sure that others will not forget them, and that the strife which, unhappily, has raged around this question of the Oath will be renewed at another time. The noble Earl said that the noble Duke desired to abolish the religious element in the Oath. My Lords, I do not see anything of the kind in the measure. The measure provides only for an exceptional state of matters, should such arise. The Oath would continue to be the ordinary, and, I hope, the universal, mode of proceeding. My Lords, I dare say it would have been very reasonable to argue—I dare say it was argued at the time of the passing of the Catholic Emancipation Bill—that in the event of that Bill being passed, the Constitution would cease to be Protestant; but, my Lords, it has been shown that the Protestant character of the Constitution has not been affected by it. My Lords, I think we must all admit that the time of religious tests has passed away. We admire the motives that prompted them, and desire the maintenance of the doctrines which they were intended to protect; but why should we be reluctant to admit that this particular mode of protection is not adapted to the altered times and circumstances in which we live? This House is opened by prayer; but if it were proposed to make the attendance of every Member of the House compulsory, it would probably be opposed by those who would most regret the abolition of the present system of opening our proceedings with prayer. My Lords, I can only conclude by expressing the deep regret which I feel in having to go into a different Lobby from the most rev. Primate. I can only say that when the Primate rose I was not aware on which side he was going to speak, so convinced was I in my own mind that the support of this Bill could in no way be associated with the idea of indifference to the maintenance of those important religious doctrines that I hope will always be inseparably connected with the Constitution of this country.

On question that the words proposed to be left out stand part of the motion? Their Lordships *divided*:—Contents 62; Not-Contents 138: Majority 76.

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Resolved in the *negative.*

Motion, as amended, *agreed to.*

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (OXFORD UNIVERSITY STATUTES).—QUESTION.

THE EARL OF CAMPERDOWN asked the noble Marquess (the Marquess of Salisbury) whether he would consent to postpone his Motion with regard to these Statutes, as no Papers relating to them had yet been laid before the House?

THE MARQUESS OF SALISBURY regretted that the Papers had not been laid before the House; but he would be rather awkwardly placed if he assented to the suggestion of the noble Earl. He thought it would be better to adhere to the present arrangement.

After a short conversation,

THE MARQUESS OF SALISBURY said, he would put off the Motion till Tuesday if it were understood that no Government Bill would be passed before it on that day.

THE EARL OF KIMBERLEY made the promise, excepting only a Bill of great importance which might come up from the other House.

THE MARQUESS OF SALISBURY said, he did not think he need have any apprehension of that Bill standing in the way on Tuesday, and therefore consented to the postponement.

House adjourned at Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 4th July, 1882.

The House met at Two of the clock.

MINUTES.] — PUBLIC BILLS — *Resolution* [July 3] *reported*—Bombay Civil Fund [Revenues of India] *.

Ordered—First Reading—Bombay Civil Fund * [225].

First Reading—Lunacy Districts (Scotland) * [224].

Second Reading—Elementary Education Provisional Orders Confirmation (Finchley, &c.) * [219]; Beer Adulteration [82] [House counted out].

Committee—Report—Prevention of Crime (Ireland) [157-226] [*Twenty-fourth Night*]; Allotments [90-227].

Considered as amended—Metropolitan Board of Works (Money) * [176]; Baths and Washhouses Act Amendment * [201].

PRISONS (IRELAND) — THE KILROSS RIOTS—THOMAS RUSSELL.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, If it is a fact that Thomas Russell, one of the young men sentenced to fine and imprisonment on account of the Kilross riots, was placed a second time on the plank bed in the Kilkenny Prison, notwithstanding the pledge given by Mr. Attorney General, that none of those prisoners would be placed on the plank bed a second time for that offence?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, when a person is sentenced for separate offences to separate though consecutive terms of imprisonment, each imprisonment is in law a distinct punishment, and the original Rules for prison discipline are applied to each as a separate punishment. In order to obviate repetition of the plank bed in such cases, the Prisons Board in April framed a new Rule providing in effect that such consecutive sentences should for prison discipline be treated as one term of imprisonment, so that the prisoner should be placed only once on the plank bed, and when my hon. and learned Friend the Solicitor General for Ireland, in my absence, answered the hon. Member's Question to which he refers in this Question, it was, of course, assumed that the new Rule would be sanctioned and promulgated immediately. It was subsequently sanctioned by the Lord Lieutenant in Council, but before it was promulgated by the Governor of Kilkenny Prison, Thomas Russell had been dealt with under the original Rules. Of course, this will not occur again under the new Rule to which I have referred.

ARMY (AUXILIARY FORCES) — THE MILITIA—MESS EXPENSES.

Sir HARRY VERNEY asked the Secretary of State for War, Whether he will apply to the Auxiliary Forces the principles of economy and the checks to extravagance which he has introduced into the Line?

Mr. CHILDERS: Yes, Sir; a confidential Circular about mess expenses in the Militia was issued last March, and I hope it will have the desired effect. If not, a General Order will be issued. Of course, when Militia battalions are embodied, they come under the provisions of the General Order of the 23rd of June. I may say that a Militia subaltern's total contributions to regimental funds will not be allowed to exceed £10.

CRIME (IRELAND) — AGRARIAN OFFENCES (STATISTICS).

Sir MICHAEL HICKS - BEACH asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can give the House any information as to the number of cases in which persons have been committed for trial on account of the murders or more serious agrarian outrages reported in Ireland during the months of April, May, and June, 1882, or have been summarily punished for minor agrarian outrages; why, since 1st May 1882, the powers of arrest and detention conferred upon the Irish Government by "The Protection of Person and Property (Ireland) Act, 1881," have only been exercised in the seven cases stated by him to the House, and not with reference to any of the other murders and serious crimes, for which no one has been made amenable to the ordinary law; and, in how many of the seven cases in question the warrants were signed by the present Lord Lieutenant for Ireland, or by himself?

Mr. TREVELYAN: With regard to the first portion of this Question, the Inspector General of Constabulary informs me that to enable him to furnish the information asked for, he must communicate with the County Inspectors throughout Ireland, and that it will take eight or ten days to collect the information. I have requested him to take immediate steps for doing so. With regard to the second portion of the Question, the Lord Lieutenant has not hesitated to use the Protection of Person and Property Act for the purpose of preventing murder and maintaining order on all occasions when he was recommended by the authorities in charge of the district to use it. With regard to the other part of the Question, I may say that in three of the seven cases which have been referred to as having occurred since the 1st of May the warrants were signed by the present Lord Lieutenant. In the other four cases I presume they were signed by the late Chief Secretary. The three persons who were arrested under warrants signed by the present Lord Lieutenant were arrested on reasonable suspicion of shooting and wounding a farmer named Trimble in the County Cavan.

Sir MICHAEL HICKS-BEACH: I will repeat the first part of my Question in a week or ten days. May I ask the right hon. Gentleman, Whether there is any truth in the telegram which has been published to the effect that 19 persons have been arrested in the district of Loughrea this morning under the Act on suspicion of having participated in the crime recently committed there?

Mr. TREVELYAN: I have not received a telegram to the effect that any arrests have been made; but I know that if these arrests will conduce to the maintenance of law and order the Lord Lieutenant would not scruple for a moment to make them.

POOR LAW (IRELAND)—THE SOUTH DUBLIN UNION WORKHOUSE.

Mr. MOORE asked the Chief Secretary to the Lord Lieutenant of Ireland, How many paupers and others were prosecuted by the Guardians of the South Dublin Union for offences committed in the workhouse, or in connection with the property of the Guardians, from 1st January 1879 till 1st January 1882; how often the master was assaulted in the discharge of his duty; and, how many officers were dismissed for different reasons during the same period?

Mr. TREVELYAN: I am informed that it will take some little time to compile the information asked for in this Question from the books and records kept at the workhouse. If the hon. Member will put the Question into the form of a Return, he can have it unopposed.

LICENSING ACTS (WALES)—PUBLICANS' LICENCES.

MR. MORGAN LLOYD asked the Secretary of State for the Home Department, If his attention has been called to a paragraph in the "Liverpool Daily Post," headed "Welsh Publicans and the English Language;" and, if he is aware of any Statute which makes a knowledge of the English language a necessary qualification for the holding of a publican's licence in Wales?

SIR WILLIAM HARCOURT, in reply, said, he was informed that the paragraph referred to was entirely incorrect.

INDIA—IMPORTATION OF EXPLOSIVE OILS—RE-SHIPMENT OF PETROLEUM ILLEGALLY LANDED.

MR. ECROYD asked the Secretary of State for India, If it is true, as stated in the "Times" telegraphic intelligence, that a large quantity of petroleum, illegally landed some time ago on the banks of the Hooghly, and afterwards, by official direction to the Commissioner of Police, ordered to be trans-shipped within seventy-two hours, still remains, to the serious danger both of the shipping in the river and houses in the neighbourhood; and, whether the order for its trans-shipment has been suspended or withdrawn; and, if so, if he will state why?

THE MARQUESS OF HARTINGTON, in reply, said, he was not aware whether the order for re-shipment of the petroleum had been suspended, or whether it had been withdrawn. He had ordered a telegram to be sent, asking that the order for re-shipment should be postponed until Professor Abel's Report had been received. He was inclined to think it had not been complied with, because the petroleum had been re-shipped. He would lay upon the Table of the House the telegraphic Correspondence, and also the despatches sent to the Government of India, which would place the House in possession of the facts so far as the Government knew them.

TRADE AND COMMERCE — RUSSIAN DUTIES ON WORSTED YARNS.

MR. W. E. FORSTER asked the Under Secretary of State for Foreign Affairs, Whether the Government have information that the Russian Government are about to propose an increase of the duty on the importation of worsted yarns; and, if so, what is the proposed increase, and, when the new tariff will come into operation?

SIR CHARLES W. DILKE: By the new Russian Tariff, which has been promulgated and comes into force on the 13th instant, it is proposed to raise the duty on woollen and worsted yarns undyed from 4 roubles 95 copecks to 7½ roubles per poud, and on the same dyed from 4 roubles 95 copecks to 9 roubles per poud.

LAW AND JUSTICE — THE COUNTY COURT JUDGE AT ROCHESTER.

MR. PASSMORE EDWARDS asked the Secretary of State for the Home Department, Whether he is aware that the County Court Judge who sits at Rochester commences each sitting at eleven o'clock, and rises shortly after one o'clock to catch the train to go home in a remote part of Kent; whether he is aware that these unusually short sittings cause delay and expense to parties attending the Court; and, whether he will inquire into the matter, with a view to obviate the grievance complained of?

SIR WILLIAM HARCOURT, in reply, said, the Home Office had no authority over the County Court Judges; but if the hon. Member would put the statement into the form of a complaint, he would forward it to the Lord Chancellor.

LAW AND POLICE (IRELAND)—CAPTAIN BARTON AND MR. HUGH M'INTYRE.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Captain Barton, a deputy lieutenant and justice of the peace for the county of Fermanagh, has resorted to violent measures against Mr. Hugh M'Intyre, Poor Law Guardian, of Cliffoney, county Sligo, in consequence of a dispute at law between Captain Barton and Mr. M'Intyre respecting rights of fishing in the Bunduff river; whether, on the 16th May last, Captain Barton, accompanied by a police constable, two soldiers, and five other men, went from Captain Barton's to Mr. M'Intyre's side of the river, proceeded to remove a fishing shoal, the property of Mr. M'Intyre, and continued to do so until warned by Mr. M'Intyre that they were violating his legal rights; whether, on the 23rd May, four days after Mr. M'Intyre had served summonses for trespass and damages, Captain Barton, accompanied by two soldiers and five civilians, again proceeded to remove the shoal and damage the fishery; whether, on that occasion, Mr. M'Intyre struck out of the hand of one of the civilians a burning coal, which he was about to apply to a fuse attached to a charge of dynamite, placed close to Mr. M'Intyre's fishing pier, and whether, on being questioned, he admitted he had received the dynamite from Captain Barton; whether, a third time, on the 25th May, five men in Captain Barton's employment, accompanied by Acting-Constable Jackson, again proceeded to remove the shoal, and, on being remonstrated with by Mr. M'Intyre, and warned of the danger of a violent collision between his men and Captain Barton's, whether the acting-constable arrested Mr. M'Intyre, brought him in custody two miles to the Tullaghan Police Station, and kept him there six hours till a magistrate came and ordered his release, declaring there was no charge against him; whether, if the facts be as stated, the Government will explain how soldiers came to be concerned in these proceedings; whether they will inquire into the conduct of Acting-Constable Jackson; and, whether they will invite the Lord Chancellor to consider the propriety of retaining Captain Barton in the commission of the peace?

Mr. TOTTENHAM: Before the right hon. Gentleman answers that Question I should like to ask him whether this is the same gentleman who has received the greatest opposition to the enforcement of his legal rights from the Land League, and whose boats and nets in connection with this fishery have been destroyed, one of the boats being found out at sea with a large hole in it; and, whether he has been obliged to have military and police protection?

Mr. TREVELYAN: I understand that there is a dispute between the principal parties mentioned in this Question as to a right of fishing. Captain Barton claims half the river when low. Mr. M'Intyre claims half the river when in flood, and the whole case will form the subject of a lawsuit in the Superior Courts. With regard to the action of Constable Jackson in arresting Mr. M'Intyre, inquiry had already been made. Mr. M'Intyre had pushed one of Captain Barton's men, and used language calculated to lead to a breach of the peace. He was summoned to Petty Sessions, when the case was dismissed; but the presiding magistrate stated his opinion that the constable had acted quite properly in the whole matter. I find nothing in the case which would call for the interference of the Lord Chancellor. With regard to the presence of the soldiers, there are two soldiers and one policeman forming a protection post at the place for the protection of Captain Barton's men when employed on his fishery. I must say that the sooner the question of right is settled in Court the better.

Mr. TOTTENHAM: Would the right hon. Gentleman answer any portion of my Question?

Mr. TREVELYAN: The answer I gave was that there was a protection post on the spot for the protection of Captain Barton's men.

Mr. SEXTON: I wish to know whether the magistrate was the same who was reprimanded by the last Administration?

[No reply was given to the Question.]

EGYPT (POLITICAL AFFAIRS).

Mr. O'KELLY asked the First Lord of the Treasury, Whether the Government will give an engagement to this House that Arabi Pacha shall not be attacked by British troops, or any act of hostility be undertaken in Egypt by British troops without the sanction of Parliament, and until the Egyptian Policy of the Government has been approved by a vote of this House?

Mr. GLADSTONE: This Question has, in substance, been put more than once to me, and I have been obliged to answer it by saying that it is not in our power to give the assurances asked for.

I may tell the hon. Member that, while we have both claims and interests of our own, we cannot overlook the fact that the great object of our policy has been to bring the united authority of Europe to bear on the settlement of the Eastern Question.

MR. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether his attention has been called to the following statements made by the Alexandria Correspondent of the "Times," in that paper of the 3rd instant:—

> "Egypt is suffering from the delays of diplomacy. If the physicians consult too long they may find there is nothing to save; every day's delay costs the Country £10,000;"

whether it is a fact that some 40,000 persons, mostly European, have left the Country during the last month of panic and that all business is paralysed; and, whether Her Majesty's Government are now able to inform Parliament that the Conference at Constantinople has come to any satisfactory and effective decision with a view to the termination of the disastrous crisis in Egypt?

MR. GLADSTONE: In reply to the hon. Member, I have to say that I think too much weight ought not to be given to the statements of correspondents in newspapers. In general terms, no doubt, it may be said that there has been a large, or, perhaps, even a vast compulsory emigration from that country, and the number is estimated at 40,000. There can be no doubt, also, that there has been an extensive paralysis of trade and employment in that country. With respect to the latter part of the Question in regard to the Conference, I can only say that the Conference itself passed a Resolution that their proceedings should be secret, and that any accounts which might go forth with reference to it were not to be regarded as authentic, and that the Conference looks to its members to request their respective Governments to maintain secrecy in like manner. To that Her Majesty's Government have agreed, and consequently we cannot enter upon the subject.

BARON HENRY DE WORMS asked the Secretary to the Admiralty, Whether it was the fact, as had been repeatedly stated in the telegrams from Alexandria, that the construction of the earthworks at Alexandria was still going on, and that some of them were armed with heavy artillery directed on the harbour, notwithstanding the representations which, under instructions from Her Majesty's Government, had been addressed by Admiral Sir Beauchamp Seymour to the Egyptian military authorities on the subject?

MR. CAMPBELL-BANNERMAN: I thank the hon. Gentleman for giving me Notice of this Question, and I trust he will not think me guilty of discourtesy if I say that, in the present circumstances, I must decline to make any statement on the subject.

CRIME (IRELAND)—MURDER OF JOHN KENNY IN DUBLIN.

MR. TOTTENHAM: I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question of which I have given him private Notice. Has the right hon. Gentleman received any information respecting a murder reported to have been committed in Dublin; whether any arrests have been made in consequence of it; and whether he has any reasons to suppose that it is the action of secret societies?

MR. TREVELYAN: I am sorry to say that a murder of a most shocking, and, I may add, ominous and significant, description has taken place in Dublin. The telegram we have says—

> "At 20 minutes to 1 last night two men reported that they heard four shots fired in the direction of Sackville Place, (which is somewhere at the back of the Custom House Docks). They went and found a man on his hands and knees on the footway, apparently dead. He was taken to the hospital, and the doctor pronounced him dead. They found two gun-shot wounds in his head, two gun-shot wounds in his body, and seven stabs over the heart. The shots must have been fired close to the body, as the coat was singed in three places. A person, who was living in the street, said he heard a row taking place; he came out of his door, and heard a stick used heavily on some person, who cried, 'Oh, don't!' and, after a few seconds, he heard four shots. Two respectably-dressed men then rushed past him. Another witness said he saw three or five men run away. The body was identified as that of a man named John Kenny. Constables were sent out in all directions, but nobody has been arrested. On the deceased was a belt, with a buckle made of brass, bearing the words, 'God save Ireland,' and the device of a sun bursting through the clouds, and the letters 'A., L., and O'B.,' which are said to mean Allen, Larking, and O'Brien, the persons who were executed at Manchester."

PARLIAMENT—ORDER OF BUSINESS.

MR. CARBUTT: I wish to ask you, Sir, a Question on a point of Order. It will be in the recollection of the House that I yesterday moved for—

> "A Return of the number and size of guns used in the Navy for firing Salutes, the number of rounds fired for each Salute, specifying the occasions on which fired, and the number of accidents which have occurred through firing Salutes during the last five years."

I agreed with the Secretary to the Admiralty that this Return should be ordered as an unopposed Return. It will be in the recollection of the House that the noble Lord opposite (Viscount Folkestone) opposed that Return. The noble Lord has persistently opposed Returns, and also persistently opposed Bills; and I wish to ask you, Sir, whether he can be Named for wilful and persistent Obstruction?

MR. SPEAKER: The noble Lord, on the occasion to which the hon. Member refers, acted on his own responsibility and quite within his right.

MR. ASHMEAD-BARTLETT asked the Speaker, Whether, in the event of the Resolution of Urgency being carried, it would prevent a discussion being raised on the usual Motion for the adjournment of the House upon an answer to any important Question in regard to our foreign relations, which might arise at the time when the Urgency Rule was in force?

MR. SPEAKER: In the event of the Resolution being carried, that the state of Public Business is urgent, it will then become my duty, in pursuance of the Resolution, to frame such Rules and Orders as, in my discretion, appear proper under the circumstances of the case.

MR. T. P. O'CONNOR asked whether the Rules framed last year under a similar Resolution did not contain an Order forbidding any Motion for the adjournment of the House at Question time?

MR. SPEAKER: I do not know that I can give any other answer than I have already given.

MOTIONS.

—∞o∞—

PARLIAMENT—ORDERS OF THE DAY.

MOTION FOR POSTPONEMENT.

MR. GLADSTONE moved—

> "That the Orders of the Day be postponed until after the Notice of Motion relating to the Business of the House (Urgency)."

SIR STAFFORD NORTHCOTE: I wish to ask the right hon. Gentleman what Business will be taken, and in what order it will be taken, after this Motion of Urgency has been carried?

MR. GLADSTONE: I thought that had been completely understood; but, if it is not so, it is very easily stated. We propose to proceed with the Order for Committee on the Prevention of Crime Bill, and prosecuting that Committee to its close, or any other serious Business.

SIR STAFFORD NORTHCOTE: What will be taken to-morrow?

MR. GLADSTONE: The Prevention of Crime Bill, if it is not finished in Committee to-night. If it is finished, then we propose to proceed with the Arrears of Rent Bill.

Question put.

The House *divided:* — Ayes 391; Noes 20: Majority 371.—(Div. List, No. 238.)

PARLIAMENT—PUBLIC BUSINESS.

MR. GLADSTONE: I declare that the Prevention of Crime (Ireland) Bill, now before the House, is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay; and I beg, Sir, to move, "That the state of Public Business is urgent."

Question put, "That the state of Public Business is urgent."

MR. CALLAN: No.

MR. SPEAKER: I think the "Ayes" have it.

MR. CALLAN: The "Noes" have it.

MR. SPEAKER: I have to call upon the hon. Member to name a second Teller.

MR. CALLAN: Mr. R. Power and Mr. Sheil.

The House *divided:* — Ayes 401; Noes 19: Majority 382.

AYES.

Acland, Sir T. D.
Agnew, W.
Ainsworth, D.
Alexander, Colonel C.
Allen, H. G.
Allen, W. S.
Allman, R. L.
Amherst, W. A. T.
Amory, Sir J. H.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Bailey, Sir J. R.
Balfour, J. B.
Balfour, J. S.
Baring, T. C.
Baring, Viscount
Barnes, A.

Barran, J.
Barttelot, Sir W. B.
Bass, Sir A.
Bass, H.
Bateson, Sir T.
Baxter, rt. hon. W. E.
Beach, rt. hon. Sir M.H.
Beaumont, W. B.
Biddulph, M.
Birkbeck, E.
Blackburne, Col. J. I.
Blennerhassett, Sir R.
Bolton, J. C.
Borlase, W. C.
Bourke, rt. hon. R.
Brand, H. R.
Brassey, H. A.
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brodrick, hon. W. St. J. F.
Brogden, A.
Brooks, W. C.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, Sir H. H.
Bruce, hon. R. P.
Bruce, hon. T.
Bryce, J.
Buchanan, T. R.
Burnaby, General E. S.
Burrell, Sir W. W.
Burt, T.
Buszard, M. C.
Butt, C. P.
Buxton, F. W.
Caine, W. S.
Cameron, C.
Campbell, Lord C.
Campbell, Sir G.
Campbell, J. A.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carden, Sir R. W.
Cartwright, W. C.
Causton, R. K.
Cavendish, Lord E.
Cecil, Lord E. H. B. G.
Chamberlain, rt. hn. J.
Chaplin, H.
Cheetham, J. F.
Childers, right hon. H. C. E.
Christie, W. L.
Clarke, E.
Clarke, J. C.
Clifford, C. C.
Clive, Col. hon. G. W.
Coddington, W.
Cohen, A.
Compton, F.
Corry, J. P.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Crichton, Viscount
Cross, rt. hon. Sir R. A.
Cross, J. K.
Crum, A.
Cubitt, rt. hon. G.
Cunliffe, Sir R. A.
Currie, Sir D.
Dalrymple, C.
Davenport, H. T.
Davey, H.
Dawnay, hon. G. C.
De Ferrieres, Baron
De Worms, Baron H.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Donaldson-Hudson, C.
Duckham, T.
Duff, R. W.
Dundas, hon. J. C.
Dyke, rt. hn. Sir W. H.
Ecroyd, W. F.
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Elliot, G. W.
Emlyn, Viscount
Estcourt, G. S.
Evans, T. W.
Ewing, A. O.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Feilden, Major-General R. J.
Fellowes, W. H.
Ferguson, R.
Ffolkes, Sir W. H. B.
Filmer, Sir E.
Finch, G. H.
Firth, J. F. B.
Fitzmaurice, Lord E.
Fitzpatrick, hn. B.E.B
Floyer, J.
Foljambe, C. G. S.
Forester, C. T. W.
Forster, Sir C.
Forster, rt. hon. W. E.
Fort, R.
Foster, W. H.
Fowler, R. N.
Fowler, W.
Fremantle, hon. T. F.
Freshfield, C. K.
Fry, L.
Fry, T.
Garnier, J. C.
Gibson, rt. hon. E.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Goldney, Sir G.
Gooch, Sir D.
Gordon, Lord D.
Gordon, Sir A.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Grafton, F. W.
Grant, A.
Grant, D.
Grant, Sir G. M.
Grantham, W.
Greer, T.
Gregory, G. B.
Grey, A. H. G.
Gurdon, R. T.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, J. G. C.
Harcourt, E. W.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hay, rt. hon. Admiral Sir J. C. D.
Hayter, Sir A. D.
Henderson, F.
Herbert, hon. S.
Herschell, Sir F.
Hibbert, J. T.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, T. R.
Hinchingbrook, Visc.
Holden, I.
Holland, Sir H. T.
Holland, S.
Hollond, J. R.
Holms, J.
Hope, rt. hn. A. J. B. B.
Hopwood, C. H.
Howard, E. S.
Howard, G. J.
Howard, J.
Hubbard, rt. hon. J. G.
Illingworth, A.
Inderwick, F. A.
Jackson, W. L.
James, C.
James, Sir H.
James, W. H.
Jardine, R.
Jenkins, D. J.
Jenkins, Sir J. J.
Jerningham, H. E. H.
Johnson, W. M.
Kingscote, Col. R.N.F.
Kinnear, J.
Knightley, Sir R.
Knowles, T.
Laing, S.
Lambton, hon. F. W.
Lawrence, Sir J. C.
Lawrence, Sir T.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lee, H.
Lefevre, right hon. G. J. S.
Legh, W. J.
Leighton, Sir B.
Leighton, S.
Levett, T. J.
Lloyd, M.
Loder, R.
Lopes, Sir M.
Lubbock, Sir J.
M'Arthur, A.
M'Arthur, W.
M'Clure, Sir T.
M'Garel-Hogg, Sir J.
M'Intyre, Æneas J.
Mackie, R. B.
Mackintosh, C. F.
M'Minnies, J. G.
Macnaghten, E.
Magniac, C.
Maitland, W. F.
Makins, Colonel W. T.
Mappin, F. T.
Marjoribanks, E.
Marriott, W. T.
Martin, R. B.
Maskelyne, M.H.Story-
Mason, H.
Master, T. W. C.
Matheson, Sir A.
Milbank, Sir F. A.
Miles, Sir P. J. W.
Monk, C. J.
Moreton, Lord
Morgan, hon. F.
Morgan, rt. hn. G. O.
Morley, A.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Mundella, rt. hn. A. J.
Muntz, P. H.
Newdegate, C. N.
Nicholson, W.
Nicholson, W. N.
Noel, E.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
Norwood, C. M.
O'Beirne, Major F.
O'Donoghue, The
Onslow, D.
Otway, Sir A.
Paget, R. H.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Patrick, R. W. Cochran-
Pease, A.
Pease, Sir J. W.
Peddie, J. D.
Peel, A. W.
Pell, A.
Pemberton, E. L.
Pender, J.
Pennington, F.
Percy, Lord A.
Philips, R. N.
Phipps, C. N. P.
Phipps, P.
Plunket, rt. hon. D. R.
Porter, A. M.

Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Pugh, L. P.
Pulley, J.
Raikes, rt. hon. H. C.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rankin, J.
Rathbone, W.
Reid, R. T.
Rendel, S.
Rendlesham, Lord
Repton, G. W.
Richard, H.
Richardson, J. N.
Richardson, T.
Ridley, Sir M. W.
Ritchie, C. T.
Roberts, J.
Robertson, H.
Rogers, J. E. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Rothschild, Sir N. M. de
Roundell, C. S.
Russell, G. W. E.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
St. Aubyn, W. M.
Salt, T.
Samuelson, B.
Samuelson, H.
Sclater-Booth, rt. hn. G.
Scott, M. D.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Slagg, J.
Smith, A.
Smith, E.
Smith, rt. hon. W. H.
Stafford, Marquess of
Stanley, hon. E. L.
Stanley, E. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Summers, W.
Sykes, C.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hn. Col. T. E.
Tennant, C.
Thomson, H.
Tillett, J. H.
Tollemache, hon. W. F.
Torrens, W. T. M'C.
Tottenham, A. L.
Trevelyan, rt. hn. G. O.
Tyler, Sir H. W.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, Sir H. H.
Wallace, Sir R.
Walpole, rt. hon. S.
Walrond, Col. W. H.
Walter, J.
Warburton, P. E.
Warton, C. N.
Watkin, Sir E. W.
Watney, J.
Webster, J.
Whitley, E.
Whitworth, B.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.
Wills, W. H.
Willyams, E. W. B.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, I.
Wilson, Sir M.
Winn, R.
Wodehouse, E. R.
Wolff, Sir H. D.
Woolf, S.
Wroughton, P.
Yorke, J. R.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

NOES.

Biggar, J. G.
Commins, A.
Corbet, W. J.
Dillon, J.
Healy, T. M.
Lalor, R.
Leahy, J.
Leamy, E.
M'Carthy, J.
Metge, R. H.
Molloy, B. C.
Nolan, Colonel J. P.
O'Connor, A.
O'Connor, T. P.
O'Kelly, J.
O'Sullivan, W. H.
Sexton, T.
Sheil, E.
Thompson, T. C.

TELLERS.
Callan, P.
Power, R.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY).

MR. SPEAKER addressed the House, as followeth:—The House having resolved that the state of Public Business is urgent, I desire to lay upon the Table certain Rules framed by me for the regulation of the Business of the House, while the state of Public Business is urgent.

These Rules are substantially the same as those framed by me in the last Session, and which were, for some time, in operation, with the addition of one Rule relating to Proceedings in Committees of the whole House.

SIR STAFFORD NORTHCOTE: I wish to ask whether the Rules are to apply to the proceedings of this day; and, if so, whether the best way would not be to have the additional Rule read?

MR. SPEAKER: Do I understand that the right hon. Gentleman wishes the Rules to be read at length?

SIR STAFFORD NORTHCOTE: I merely put the Question whether the Rules would apply to the Business of this day; and, if so, whether the new Rule should not be read?

MR. SPEAKER: They are in force from this moment, and the Clerk will read the new Rule.

The CLERK (Sir ERSKINE MAY) then read the following Rule:—

> "That when it shall appear to the Chairman, during any Debate, to be the general sense of the Committee, that the Question be now put, he may so inform the Committee; and on a Motion being made 'That the Question be now put,' the Chairman shall forthwith put such Question; and if the same be decided in the affirmative, by a majority of three to one, the Question previously under Debate shall be forthwith put from the Chair."

RULES Framed by Mr. SPEAKER for the Regulation of the BUSINESS of the HOUSE, while the State of PUBLIC BUSINESS is URGENT.

(Motions for Adjournment.)

1. That no Motion for the adjournment of the House shall be made, except by leave of the House, before the Orders of the Day or Notices of Motions have been entered upon.

2. That when a Motion is made for the adjournment of a Debate, or of the House, during any Debate, the Debate thereupon shall be strictly confined to the matter of such Motion.

3. That if, during any Debate, a Motion be made for the adjournment of the

Debate, or of the House, Mr. Speaker may decline to put the Question thereupon, if, in his judgment, such Motion is made for the purpose of obstruction; or, if he think fit to put such Question, he may put it from the Chair forthwith.

4. That no Member, having spoken to a Motion for the adjournment of a Debate, or of the House, during any Debate, shall be entitled to move, or to speak to any similar Motion, during the same Debate.

(Irrelevance or Repetition.)

5. That Mr. Speaker may call the attention of the House to continued irrelevance or tedious repetition on the part of a Member; and may direct the Member to discontinue his speech.

(Putting the Question.)

6. That when it shall appear to Mr. Speaker, during any Debate, to be the general sense of the House, that the Question be now put, he may so inform the House; and on a Motion being made "That the Question be now put," Mr. Speaker shall forthwith put such Question; and if the same be decided in the affirmative by a majority of three to one, the Question previously under Debate shall be forthwith put from the Chair.

(House Resolving itself into Committee.)

7. That when the Order of the Day for the Committee on any Bill or other matter (declared urgent) is read, Mr. Speaker shall forthwith leave the Chair, without putting any Question; and the House shall thereupon resolve itself into such Committee.

(Consideration of Bill, as amended.)

8. That, on reading the Order of the Day for the consideration of a Bill, (declared urgent) as amended, the House do proceed to consider the same without Question put.

(Divisions.)

9. That when, before a Division, Mr. Speaker's decision that the "Ayes" or "Noes" have it is challenged, Mr. Speaker may call upon the Members challenging it to rise in their places; and if they do not exceed twenty, he may forthwith declare the determination of the House.

RULES Regulating the PROCEEDINGS of a COMMITTEE of the WHOLE HOUSE upon any BILL or other MATTER declared URGENT.

(Motions to Report Progress, &c.)

10. That when a Motion is made, that the Chairman do report Progress, or do leave the Chair, the Debate shall be strictly confined to the matter of such Motion.

11. That if a Motion, that the Chairman do report Progress, or do leave the Chair, be made, the Chairman may decline to put the Question thereupon, if, in his judgment, such Motion is made for the purpose of obstruction; or, if he think fit to put such Question, he may put it from the Chair forthwith.

12. That no Member, having spoken to a Motion that the Chairman do report Progress, or do leave the Chair, shall be entitled to move, or to speak to, any similar Motion, during the same sitting of the Committee.

(Irrelevance or Repetition.)

13. That the Chairman may call the attention of the Committee to continued irrelevance, or tedious repetition, on the part of a Member; and may direct the Member to discontinue his speech.

(Putting the Question.)

14. That when it shall appear to the Chairman, during any Debate, to be the general sense of the Committee, that the Question be now put, he may so inform the Committee; and on a Motion being made "that the Question be now put," the Chairman shall forthwith put such Question; and if the same be decided in the affirmative, by a majority

of three to one, the Question previously under Debate shall be forthwith put from the Chair.

(Members to speak once only.)

15. That no Member shall be allowed to speak more than once to the same Question; unless the Member in charge of the Bill, or any Member who has made a Motion, or moved an Amendment, desires to offer explanations.

(Preamble postponed.)

16. That the Preamble of a Bill do stand postponed until after the consideration of the Clauses, without Question put.

(Divisions.)

17. That when, before a Division, the Chairman's decision that the "Ayes" or "Noes" have it, is challenged, the Chairman may call upon the Members challenging it, to rise in their places, and if they do not exceed twenty, he may forthwith declare the determination of the Committee.

(Questions to be put forthwith.)

18. That, when, by any of the Rules, framed by Mr. Speaker, a Question is to be put from the Chair forthwith, no Amendment, Adjournment, or Debate shall be allowed.

(Proceedings in Committee, and on Consideration of Bill, as amended.)

19. That on a Motion being made, after Notice, by a Minister of the Crown, that in Committee upon any Bill, declared urgent, or upon the Consideration of any such Bill, as amended, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper shall, on and after a certain day and hour, be put forthwith; the Question thereupon shall be forthwith put from the Chair, but shall not be resolved in the affirmative, unless voted by a majority of Three to One.

PARLIAMENT — BUSINESS OF THE HOUSE—PREVENTION OF CRIME (IRELAND) BILL IN COMMITTEE—WITHDRAWAL OF IRISH MEMBERS.

Mr. JUSTIN M'CARTHY: Mr. Speaker, I ask the indulgence of the House while, in a very few words, I announce a Resolution to which my Colleagues and myself, acting with them, have come as to future proceedings in Committee on this Bill. I cannot do better than read to the House the Resolution, and leave the matter there. The Irish Members who act with me have resolved—

"That, inasmuch as the Irish Parliamentary Party have been expelled from the House of Commons under the threat of physical force during the consideration of a measure affecting the vital rights and liberties of Ireland, and as the Government, during the enforced absence of Irish Members from the House, have passed material portions of that measure through Committee, thus depriving the Representatives of the Irish people of the right to discuss and vote upon coercive proposals for Ireland, we, therefore, hereby resolve to take no further part in the proceedings of the Committee on the Coercion Bill, and we cast upon the Government the sole responsibility for the Bill, which has been urged through the House of Commons by force, violence, and subterfuge" [*Cries of* "Order!" *and* "Withdraw!"] "and which, when passed"—

Mr. SPEAKER: The hon. Member is importing a matter of debate and controversy into the statement he is now making.

Mr. JUSTIN M'CARTHY:

"And which, when passed into law, will be devoid of moral force, and will not be a Constitutional Act of Parliament."

Mr. SPEAKER: The Clerk will now proceed to read the Orders of the Day.

The Clerk (Sir Erskine May): Prevention of Crime (Ireland) Bill—Committee.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[Bill 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 3rd July.*]

[TWENTY-FOURTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

MR. COURTNEY in the Chair.

NEW CLAUSES.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) moved, in lieu of Clause 19, to insert the following Clause:—

Summary procedure for offences under Act.—14 and 15 Vic. c. 93.)

"(1.) Any offence against this Act shall be punishable on summary conviction, and may be prosecuted—

(a.) Within the police district of Dublin Metropolis in manner provided by the Acts regulating the powers and duties of justices of the peace of such district or of the police of such district; and

(b.) Elsewhere in manner provided by 'The Petty Sessions (Ireland) Act, 1851,' and the Acts amending the same,

subject nevertheless to the provisions of this section.

(2.) The proceedings for enforcing the appearance of the person charged, and the attendance of witnesses, shall be the same, and the evidence for both the prosecution and defence shall be taken as depositions in the same manner as if the offence were an indictable offence; but, save as aforesaid, the procedure shall be the same as in the case of an offence punishable on summary conviction.

(3.) A charge for an offence against this Act shall be heard and determined—

(a.) Within the police district of Dublin Metropolis before a divisional justice of that district; and

(b.) Elsewhere before two resident magistrates in petty sessions;

And in this Act the expression 'court of summary jurisdiction acting under this Act' means any such divisional justice or two resident magistrates.

(4.) The petty sessions held by two resident magistrates may be held at any place fixed by law for the holding of petty sessions, and on such days as may be from time to time determined in prescribed manner.

(5.) Where a person is convicted summarily of an offence against this Act and sentenced to any term of imprisonment exceeding one month such person may appeal against such conviction to a court of general sessions held in pursuance of this section, but the proceedings before a divisional justice or two resident magistates, on a charge for an offence against this Act, shall not be reviewed in any other manner, whether by means of a writ of certiorari or otherwise, and such appeal shall, save as hereinafter otherwise provided,—

(a.) Be subject, except in the police district of Dublin Metropolis, to the provisions to which an appeal under 'The Petty Sessions (Ireland) Act, 1851,' is by section twenty-four of that Act, and any enactments amending that section, made subject; and

(b.) Be subject in the police district of Dublin Metropolis to the said provisions, with such modifications therein as may be prescribed for the purpose of adapting the same to the circumstances of that district.

(6.) For the purpose of hearing and determining appeals under this section general sessions of the peace shall be held at the prescribed times and places, and at such general sessions the chairman of the county shall sit as sole judge of the court, and shall hear and determine any such appeals which are brought before him, and shall have the jurisdiction and powers of a court of quarter sessions, and the decision of such chairman, whether as to the jurisdiction of the justice or magistrates or otherwise, shall be final and conclusive.

(7.) Any depositions taken at the hearing of a case before the divisional justice or two resident magistrates may be admitted in evidence on an appeal in that case.

(8.) The expression 'chairman of the county' in this section means a county court judge and chairman of the quarter sessions of a county, and includes a recorder."

New Clause (Summary procedure for offences under Act 14 and 15 Vic. c. 93,)—*brought up*, and read the first time.

Motion made, and Question put, "That the Clause be read a second time."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated, that he thought the Ayes had it, and his decision being challenged, he directed the Noes to stand up in their places, and Four Members only having stood up, the Chairman said as the Members voting for the Amendment did not amount to 20, he declared that the Ayes had it.

MR. BIGGAR (in the absence of the hon. Member for Wexford, Mr. HEALY) begged to move the Amendment which stood in the name of his hon. Friend, and which provided that no offence under the Act should be prosecuted after the lapse of a month.

Amendment proposed to be made to the New Clause,

In line 8, after "section," to insert the words, "Provided, That no offence against this Act shall be prosecuted later than one month from the date when same is alleged to have been committed."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that it was impossible to accept an Amendment giving impunity to the offender, who could evade justice for a month.

Sir MICHAEL HICKS - BEACH said, that there was one matter it was very important they ought to know, and that was the New Rules under which they were now acting. These which had been stated to the House were obviously very valuable Rules, and would advance the progress of Business; but he thought that they ought to know what the whole of the Rules were, and that they should be made acquainted with them when the Chairman was in the Chair. He would, therefore, move to report Progress. He took this course in order that what was taking place now might not be made a precedent for future action. He felt very strongly that it was necessary that they should have before them the New Rules, so that they might know whether they were acting within them or not. He understood that the Speaker had laid the Rules upon the Table of the House, and all he desired was that they should be read from the Chair.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Michael Hicks-Beach.*)

Mr. GLADSTONE: I am under the apprehension that the New Rule for the guidance of the Chairman, as proposed by the Speaker, has already been read. I do not think that there would have been anything unreasonable in the demand of the right hon. Gentleman if it had been made at the proper time. [Sir Michael Hicks-Beach: It was made.] The right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) certainly did rise, and asked that any Rule that was new should be read, and that was done. At the request of the right hon. Gentleman, directions were given by the Speaker to the Clerk at the Table to read the one new Rule which has been added to those framed by him last year during the period of Urgency, and now revived. I do not know whether I am right, but my own impression is that it would be hardly right for the Chairman to read Rules, not only affecting the Committee, but also the whole House. The proceedings which took place at the instance of the right hon. Member for North Devon appeared to be satisfactory to the House; and then the Business of the House was allowed to proceed. I submit that it would be hardly regular to interrupt the Business of the Committee now for the purpose of reading the New Rules now lying on the Table of the House. If a mistake has been made, I think that it would be better to pass it over, and not insist on reporting Progress.

Sir STAFFORD NORTHCOTE: If this were merely a question of Order I should not raise any objection; but it is a question of the convenience of the Committee, and without in the slightest degree wishing to interpose any kind of delay to the proceedings of the Committee, I would ask if a copy of the Rules could not be supplied to it, or that the New Rules should be read by the Clerk at the Table? I think it would be for the convenience of the Committee, and, perhaps, in the end it would save time, if the Clerk were instructed to read those Rules which applied to the Business of the Committee.

Mr. METGE said, he thought that it would assist the Committee if the Rules were read carefully over. Personally, he had very little knowledge of what the Rules were, and standing as he did in a hostile House, with a majority against him of 100 to 1, it was important that he should understand on what grounds they were entitled to act so far as the New Rules went. He was ready to bow to any point of Order laid down by the Chair, and he only desired to fight in a fair way, without following the example of hon. Members opposite.

Mr. GLADSTONE said, that he had gathered from the remarks which had been made by the right hon. Member for North Devon (Sir Stafford Northcote) that it was only the Rules regulating the proceedings of the Committee which were referred to, and in that case it would only be a regular proceeding to have them read.

The DEPUTY CHAIRMAN (Mr. Courtney): It would be regular to read the Rules relating to the Business of the Committee as distinct from the Business of the House; but it would be convenient, in the first instance, that the Motion to report Progress should be withdrawn.

Sir MICHAEL HICKS-BEACH said, that he was quite ready to withdraw the Motion.

Motion, by leave, *withdrawn*.

The CLERK (Sir ERSKINE MAY) then read the following:—

RULES Regulating the PROCEEDINGS of a COMMITTEE of the WHOLE HOUSE upon any BILL or other MATTER declared URGENT.

(Motions to Report Progress, &c.)

10. That when a Motion is made, that the Chairman do report Progress, or do leave the Chair, the Debate shall be strictly confined to the matter of such Motion.

11. That if a Motion, that the Chairman do report Progress, or do leave the Chair, be made, the Chairman may decline to put the Question thereupon, if, in his judgment, such Motion is made for the purpose of obstruction; or, if he think fit to put such Question, he may put it from the Chair forthwith.

12. That no Member, having spoken to a Motion that the Chairman do report Progress, or do leave the Chair, shall be entitled to move, or to speak to, any similar Motion, during the same sitting of the Committee.

(Irrelevance or Repetition.)

13. That the Chairman may call the attention of the Committee to continued irrelevance, or tedious repetition, on the part of a Member; and may direct the Member to discontinue his speech.

(Putting the Question.)

14. That when it shall appear to the Chairman, during any Debate, to be the general sense of the Committee, that the Question be now put, he may so inform the Committee; and, on a Motion being made "that the Question be now put," the Chairman shall forthwith put such Question; and, if the same be decided in the affirmative, by a majority of three to one, the Question previously under Debate shall be forthwith put from the Chair.

(Members to Speak once only.)

15. That no Member shall be allowed to speak more than once to the same Question, unless the Member in charge of the Bill, or any Member who has made a Motion, or moved an Amendment, desires to offer explanations.

(Preamble postponed.)

16. That the Preamble of a Bill do stand postponed until after the consideration of the Clauses, without Question put.

(Divisions.)

17. That when, before a Division, the Chairman's decision that the "Ayes" or "Noes" have it, is challenged, the Chairman may call upon the Members challenging it, to rise in their places, and if they do not exceed twenty, he may forthwith declare the determination of the Committee.

(Questions to be put forthwith.)

18. That, when, by any of the Rules, framed by Mr. Speaker, a Question is to be put from the Chair forthwith, no Amendment, Adjournment, or Debate shall be allowed.

(Proceedings in Committee, and on Consideration of Bill, as amended.)

19. That on a Motion being made, after Notice, by a Minister of the Crown, that in Committee upon any Bill, declared urgent, or upon the Consideration of any such Bill, as amended, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper shall, on and after a certain day and hour, be put forthwith; the Question thereupon shall be forthwith put from the Chair, but shall not be resolved in the affirmative, unless voted by a majority of Three to One.

Amendment proposed, to be made to the New Clause, in line 8, after "section," to insert the words—

"Provided, That no offence against this Act shall be prosecuted later than one month from the date when same is alleged to have been committed."—(*Mr. Biggar.*)

Question put, "That those words be there inserted."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) having stated that he thought the Noes had it, and his decision being challenged, he directed the Ayes to stand up in their places; and no Member having stood up, the Chairman said: As no hon. Member has risen in his place, I declare that the Noes have it.

MR. METGE rose to a point of Order. He wished to know whether, when the Chairman had called a division, he was within his right in asking hon. Members to stand up in their places? On a former occasion when that course was taken the House was cleared.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I have followed the same practice in both cases.

MR. CALLAN said, that he wished to move the Amendment to this New Clause which stood in the name of his hon. Friend the Member for Wexford (Mr. Healy), and which was as follows:—As an Amendment to Mr. Attorney General for Ireland's New Clause 19, line 13, after "conviction," insert—

"And the proceedings shall take place in open Court in like manner as provided by the fourteenth and fifteenth Victoria, chapter ninety-three, in the case of proceedings under the summary jurisdiction of justice."

At present, while great powers were given to the magistrates, without what the Attorney General for Ireland called the good or Common Law of the land, as construed by the magistrates, it was often the practice for them to adjudicate illegally, and not in open Court. A new class of offenders was created by the Bill; and for the convenience of the public, and for the good working of the Act, it was desirable that the law should be administered in open Court, as a guarantee that it was properly administered. He hoped that the Attorney General for Ireland, even if he would not agree to the exact terms of the Amendment, would adopt some Amendment in the spirit of it.

Amendment proposed, as an Amendment to Mr. Attorney General for Ireland's New Clause 19, line 13, after "conviction," insert—

"And the proceedings shall take place in open Court in like manner as provided by the fourteenth and fifteenth Victoria, chapter ninety three, in the case of proceedings under the summary jurisdiction of justice."—(*Mr. Callan.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that the New Clause already provided for the publicity of the proceedings, which would be similar to proceedings under the Petty Sessions Acts.

MR. CALLAN intimated that after that assurance by the Attorney General for Ireland he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. Metge

MR. BIGGAR moved an Amendment standing on the Paper in the name of the hon. Member for the City of Cork (Mr. Parnell), as an Amendment to Mr. Attorney General for Ireland's New Clause 19, line 13, after "conviction," as Sub-section (2), insert the following sub-section:—

"The defendant in any summons to enforce his appearance in the case of any offence against this Act, shall, upon being served with such summons, be entitled to receive from the clerk of petty sessions a copy of the information upon which same is founded on payment of the sum of sixpence."

The object of the Amendment was to provide that the person accused should be afforded a reasonable and *bonâ fide* opportunity of defending himself; and that on payment of a reasonable sum he should be able to obtain a copy of any charge preferred against him.

Amendment proposed, as an Amendment to Mr. Attorney General for Ireland's New Clause 19, line 13, after "conviction," as Sub-section (2), insert the following sub-section:—

"The defendant in any summons to enforce his appearance in the case of any offence against this Act, shall, upon being served with such summons, be entitled to receive from the clerk of petty sessions a copy of the information upon which same is founded on payment of the sum of sixpence."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that he fully appreciated the motives by which the Amendment was moved; but it was rendered unnecessary by having been provided for already by the Petty Sessions Acts which were incorporated in the clause.

MR. BIGGAR said, that, after the explanation given by the right hon. and learned Gentleman, he would ask permission to withdraw the Amendment, as its object was already secured.

Amendment, by leave, *withdrawn.*

MR. BIGGAR then moved the Amendment standing in the name of the hon. Member for Sligo (Mr. Sexton), which was as follows:—As an Amendment to Mr. Attorney General for Ireland's New Clause 19, line 13, after "conviction," insert—

"Provided that the summons to enforce the appearance of any person charged with an offence against the Act shall be served at least four clear days before the sessions at which the same is to be heard."

The object of this Amendment was to enable the person summoned to appear to make the proper arrangements in regard to his attendance. If he only received a very short notice to appear before the Petty Sessions, it might be held that he was staying away intentionally, and a warrant might be issued for his apprehension.

Amendment proposed, as an Amendment to Mr. Attorney General for Ireland's New Clause 19, line 13, after "conviction," insert—

"Provided that the summons to enforce the appearance of any person charged with an offence against the Act shall be served at least four clear days before the sessions at which the same is to be heard."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, that this also was an unnecessary Amendment. All the details of the clause were in accordance with the provisions of the Summary Jurisdiction Court under the Petty Sessions Act of 1851. That Act provided that a notice should be given before the hearing, and of the reasonableness of the time, the Court itself would be the best judge.

MR. CALLAN said, that after the assurance given by the Chief Secretary that the procedure under this Act would be given by the Petty Sessions Acts now in force, he would advise his hon. Friend not to move any Amendment relating to that procedure. The Irish Members would accept the pledge that all the procedure under the Bill would be given by the Petty Sessions Acts.

MR. TREVELYAN said, that the new clause which the Government had laid upon the Table of the House set forth, in the most precise words, that the whole proceedings under it would be governed by the Petty Sessions Act of 1851; but there were certain details in the clause which in other respects might be governed in another manner. The observation which he had made as to the proceedings under the clause was a general observation, and was not to be taken as binding the Government to every detail of the Petty Session Acts which might be contrary to the provisions of their own clause. This particular matter was one of the details which came under the Petty Sessions Act of 1851.

MR. METGE said, that, of course, the Irish Members quite understood that the Chief Secretary did not intend to place under the operation of the Petty Sessions Acts details which the clause expressly excluded from those Acts. He was sorry that the Government had not accepted this Amendment, or some more definite promise had not been given in regard to it, because the rules of the Petty Sessions Courts on this subject were liable to aid arbitrary variation. He thought that it was necessary that the accused person should have as long a notice as possible. The Act would be most drastic in its form, and for that reason the defendant would naturally demand a longer notice than might be considered reasonable in the case of a man who was merely charged with being drunk and brawling in the streets. Many persons who were brought under the Act would be persons whose occupation would require that they should be moving about the country, such as labourers going from farm to farm, and artizans journeying from town to town. These were the classes of persons who would be charged under the Act, and he thought that there ought to be some extended form of notice given to them. He trusted that the Chief Secretary for Ireland would be able to see his way to making the clause a little more definite in regard to the arrangements for notice. He remarked that the Chief Secretary had already stated that the magistrates would be governed on this point by the Act of 1851, the passing of which he well remembered. It would be impracticable, however, to say that there should be no variation from the Act of 1851. In the present state of Ireland, with secret societies acting in a murderous manner, it might be necessary in certain cases to vary the procedure, and the Government would be justified in varying the terms and details of the clauses so far as the procedure was to be governed by the Act of 1851. It was the duty of the Government to adapt the clause so that it might meet the special emergencies of the time.

Question put, and *negatived.*

MR. LABOUCHERE said, that he wished to move an Amendment before the one that stood next upon the Paper. The Amendment was to insert, after the words "two resident magistrates," the words—

"One of whom shall be a barrister at law of not less than seven years' standing."

In moving that Amendment, he wished to call the attention of the President of the Local Government Board (Mr. Dodson), who seemed to be the only Member of the Government left in charge of the Bill, to the fact that a pledge had been given on the part of the Government that when this new clause was inserted, one of the two Resident Magistrates who would have to try cases under these Summary Jurisdiction Clauses would be a barrister. They had had a good deal of discussion on this matter, and he had more than once since the clause had been on the Paper appealed to the Government on the subject. He thought that the right hon. Gentleman the President of the Local Government Board would admit that he (Mr. Labouchere) was perfectly right in stating that upon this point a pledge had been given by the Government. He believed that it was within the recollection of the Committee that there was a distinct pledge to that effect, and it would not be the fulfilment of the pledge to say that the Government would do that wherever it was possible. It was most essential that the decisions of the magistrates should command the respect of the Irish people. Very extensive powers were intrusted to them by the Bill, and it was admitted by the Government that many of the existing Resident Magistrates were not very well learned in the law. It was upon that ground that the Government proposed to associate with those who were expected to administer justice persons who had some knowledge of the law. The Committee ought to insist, as far as they could, upon the pledge of the Government being carried out substantially in the whole, and should not be satisfied with the assurance that, wherever it was possible, one Resident Magistrate would be a lawyer.

Amendment proposed,

To insert, after the words "two resident magistrates," the words "one of whom shall be a barrister at law of not less than seven years' standing."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

Mr. TREVELYAN said, that the Amendment had considerable importance in itself, and also on account of what passed at the earlier stage of the Committee. Allusion had been made to a statement of the Prime Minister which was undoubtedly a very important statement, and one which had been made after careful consultation with those of his Colleagues who were interested in the Bill, and acquainted with the circumstances of Ireland. The statement of the Prime Minister was to the effect that when two Resident Magistrates were sitting, one of them should have had a legal training. He was not able to quote the exact words of the Prime Minister, but he was willing to admit that the statement was to that effect. It was quite obvious, however, that a statement of that sort must be taken to mean that it would be carried out to the very utmost extent that was possible. What the Prime Minister wished to express was that he and his Colleagues regarded it as a most important point that one of the Resident Magistrates should have had a legal training. Since then the Prime Minister had been in communication with Lord Spencer—in very frequent communication with him—as to the method by which this object should be accomplished; but he must remind the Committee that he (Mr. Trevelyan) had subsequently made a statement which was received, he thought, with thorough acquiescence by the whole Committee, and made also at a time when the Committee was very full of the effect that on no account did the Government intend to place in the Bill any arrangements or regulations with regard to the magistrates who were to sit in the Court. But he further stated that this was a mere Executive and Administrative matter, which would be more readily carried out by Executive and Administrative means. The Government were extremely anxious to carry out this point, and they intended to carry it out as far as it possibly could be carried out. That was the only pledge which the Government could possibly give. In order to have one of the Resident Magistrates a lawyer, it was obvious that this meant appointing lawyers Resident Magistrates. It was pretty certain that within a reasonable length of time, indeed soon, a certain number of legal appointments would be made to the list of Resident Magistrates. The Government had determined, as far as possible, to make new appointments among the Legal Profession. He said as far as possible, because the Government could not bind themselves, even at the risk of losing their position as a Government, to anything more. While they would choose the lawyer by preference, they would not take a man, because he was a lawyer, who would not make an efficient Resident Magistrate. Then, again, as regarded the question of seven years' standing; upon that point the Government were still more unwilling to be bound. It was very possible that a man might be a very good lawyer who had not been seven years at the Bar; and it was possible, although he did not speak on authority, that a man might be a very bad lawyer, even after he had been more than seven years at the Bar. It was not necessary to go further for an illustration than to state that some of the very best magistrates in India were young men who had not been members of the Legal Profession as long as seven years. It was very desirable that one of the Resident Magistrates sitting on the Bench should have had legal experience; and he might instance Mr. Felix M'Carthy, who was in every respect qualified to sit as a local magistrate, although he was not a barrister of seven years' standing. He (Mr. Trevelyan) could only repeat the pledge that the Government would do their best to secure this end, for they were as anxious as any hon. Member on the Committee. They could not, however, bind themselves to commit themselves in every instance. That being so, he trusted that the Amendment would not be pressed.

MR. M'COAN expressed great disappointment at what he had heard from the Chief Secretary. He (Mr. M'Coan) had placed upon the Paper an Amendment to the 19th clause as it originally stood, which provided that the tribunal of summary jurisdiction should consist of one of the Resident Magistrates and two ordinary Justices of the Peace. That Amendment was placed upon the Paper before the Prime Minister made his statement directly and in terms pledging the Government to provide that one of the two Resident Magistrates should be a lawyer. He had recognized at once the superiority of such a tribunal to that which was proposed by his Amendment, and he had accordingly taken his Amendment off the Paper. He had no wish to use language stronger than the case required; but he thought that the Committee had great reason to complain that the pledge of the Government had been departed from. They were now told that the pledge of the Prime Minister merely meant the expression of the intentions of those who were administering the Bill, to carry out this principle at their discretion. Although the Chief Secretary did subsequently make the statement he had referred to, he did not think that the right hon. Gentleman would go to the length of saying that any statement made by him ought to wipe out a previous pledge given by the Prime Minister. He, therefore, thought that the Irish Members had just cause to complain, not perhaps of the breach of faith, but of something very much like it. The right hon. Gentleman had made out no case whatever for this departure from the original pledge of the Government It could not be pretended that the Irish Bar could not provide an abundance of gentlemen well qualified for the posts which were to be created by the new tribunals. In Dublin he could lay his hand on 20 qualified lawyers, or barristers, if the right hon. Gentleman preferred that word. Not 20, but 50, could be found in the Four Courts of Dublin who were thoroughly well qualified to act if the Government would accept them. Therefore, there was no pretence for saying that men could not be found; and, further, there was no pretence for stating that men of that kind would not be better than the persons who now constituted the majority of the Resident Magistrates.

MR. GIBSON presumed that the right hon. Gentleman the Chief Secretary had some record before him of what had actually occurred. His (Mr. Gibson's) own recollection was somewhat different. The undertaking amounted to this—that steps would be taken to insure that legal assistance should be given to the two magistrates who were to exercise jurisdiction under the Act. That could be satisfied in either of two ways—either by having as part of the tribunal a barrister, or to give legal assistance to the tribunal when especially required to do so on legal points. He did not think that the latter method was at all desirable. It was not desirable to enable the tribunal to shunt the responsibility off their own shoulders on to somebody else. It would be wiser to compel the tribunal, according to its own lights, to exercise this jurisdiction, and to be responsible for the exercise of it. At the same time, he had no wish to press the Government too far on the question, although he admitted that the Amendment raised a serious and important question as to the constitution of the tribunal. It was not, however, desirable to unduly increase the number of office-holders of the country. There was a substantial number of Resident Magistrates in the country already. Some of them were men of high character and advanced in years—men who would be likely to seek the retirement they had thoroughly earned. If something could be done in the way of recognizing that most delicate topic "allowances," perhaps the difficulty might be got over. All public officers were paid by salary, or by that method which was called "allowances." He thought the Government had done right in announcing that in regard to future requirements, and at an early date, they would bear in mind the necessity of appointing legal men. Perhaps in some cases the lawyer, if solely trained in the profession of a lawyer, would not be the best man to exercise summary jurisdiction. If such a man had been long practising at the Bar, he was apt to take too technical a view of questions which ought to be decided, to some extent, by the exercise of vigorous common sense, getting rid, as far as possible, of technicalities. Of course, it was desirable that in many instances there should have been a legal training. But the members of his Profession who would be best fitted for the post were those who were not likely to have had to deal with too much technicality. He, therefore, thought that it would be improper to limit the selection to barristers of seven years' standing. It was not desirable that they should establish any hard-and-fast limit. He thought that it would be better to leave the matter in the hands of the Government.

Mr. METGE said, he was of opinion that one of the arguments employed by the right hon. and learned Gentleman who had just sat down was a very strong argument in favour of the Amendment. The right hon. and learned Gentleman objected to the tribunal being constituted in such a way that it would be able to shunt its responsibility upon other persons. But that was exactly what would happen if the two Resident Magistrates were military men, and that was a common occurrence in the jurisdiction of Courts of Petty Sessions as now constituted. The result was that the Resident Magistrates were entirely at a loss upon a point of law, and they had to refer to the Petty Sessions Clerk. In almost every case the Petty Sessions Clerk was the legal adviser of the Resident Magistrates.

Mr. GIBSON remarked that the Law Adviser in Dublin Castle was an adviser of the magistrates in matters of law.

Mr. METGE said, that he was quite aware of that; but what he meant was that in many cases the actual jurisdiction was vested in the Petty Sessions Clerk. He had often seen these Courts decide upon a simple announcement made to them by the Petty Sessions Clerk on a legal point. He had no wish to depreciate the capacity of these Petty Sessions Clerks, who were very well educated, and a very good class of men; but it would be a terrible thing to see such administrative functions as those which the present Bill created, and applicable to the people of Ireland, transferred into the hands of the Petty Sessions Clerks. That was a statement which he thought would be borne out by numberless facts; but, apart from that, there was another great objection the right hon. and learned Gentleman ought to have to two members of the Court being composed of military men. The right hon. and learned Gentleman had spoken very forcibly of the advantage to be derived from having the services of lawyers who were under a standing of seven years. The right hon. and learned Gentleman said that they would be free from that encumberment of technicality which might hamper the minds of maturer lawyers. Now, this freedom from technicality was just the danger they had to guard against. One great danger of the Court was that it might proceed in too arbitrary a fashion. The Irish Members had no wish to see this Court turned into a drumhead Court Martial; and if it was to be under the control of two Resident

Magistrates, or under the control of one military Resident Magistrate and another magistrate whose legal mind was free from technicality, there would be a danger that the law would be administered with unnecessary harshness. For this reason he should press strongly upon the Committee the propriety of accepting the Amendment moved by the hon. Member for Northampton (Mr. Labouchere). It must be remembered that this was a Court of the very first importance. It was to have conferred upon it a power of summary jurisdiction such as no other Court possessed. It was to have power over the liberty and action of a very large portion of the Irish people; and what was the answer of the Government when they were questioned by the hon. Member for Northampton to lay it down as part of the Bill that it was necessary that there should be a legal adviser in the Court? Their answer was that the Committee must trust to the Government to do their best. His hon. Friend the Member for Wicklow (Mr. M'Coan) said that he had lost faith in the Government. Now, he (Mr. Metge) had never had any faith in them at all, and should like to see the pledge they had made in the bond. For that reason he hoped that the hon. Member for Northampton would divide the Committee. The Government told them that they would do their best, and that they hoped that very soon they would be able to have the Court composed, to a large extent, of lawyers; but surely they had had some months to pass this Bill through the House; they had had plenty of time to get their Court ready. As to not being able to obtain men, that was simply absurd. There was a plethora of lawyers in Ireland who were men of standing, and there would be no difficulty in obtaining the services of any number of legal magistrates. What he feared was that men like Major Bond and Mr. Clifford Lloyd might be called upon to sit in cool, calm judgment on men who might be brought before the Court on trivial cases of "Boycotting." He had known something of the action of Mr. Clifford Lloyd during the last winter, and he knew the feeling that existed against him in the West of Ireland. That feeling was that Mr. Clifford Lloyd was the Chief Secretary for Ireland last winter, and that the nominal Chief Secretary was under the thumb of Mr. Clifford Lloyd, and that Mr. Clifford Lloyd ruled Ireland with a rod of iron. He did not think it was right that the decision of cases which would arise under the Act should be left to a bench of military martinets, with no legal training, and unfitted by education or social requirements to exercise the functions that would be intrusted to them. For this reason, although he knew and felt that all he had said would be thrown away, he should consider it his duty to make a stand against what he believed to be one of the worst features of this damnable Coercion Act.

MR. FIRTH said, he thought that the question involved in the Amendment was one of very serious importance. The Bill they were about to pass was one which would involve the greatest care and technical knowledge, and technical habits of mind, to construe. He did not think that the construction of the Act should be left to men who had had no legal training whatever. There were rules of evidence in existence, many of which were framed in order to protect, to a large extent, persons who were charged before the Court of Summary Jurisdiction—such as the exclusion of hearsay evidence; but if the decision of the Court was to be left to men who were unfamiliar with the rules of evidence, there would be much less guarantee than Parliament ought to have for securing a fair trial. He hoped that the Government would accede to the Amendment, as he was unwilling to lose one of the most important guarantees for the administration of the Act in a fair and proper spirit.

MR. MOORE said, he believed that this was one of the most important questions that had come before the Committee, and he must certainly say that ever since the Bill was read a second time he had been under the impression that these extraordinary powers were only to be exercised by men who had had a judicial training. He had heard with regret the statement by the right hon. Gentleman the Chief Secretary the other day, that there was a possibility of leaving the jurisdiction under the Bill to the ordinary magistrates. At no time was he disposed to indulge in condemnation of officials who desired to do their duty, and much less was he disposed to do so under the present very trying circumstances. But if this Bill was to carry weight with it, and have any practical effect, every strength that could be given to the administration of its summary jurisdiction should be given to it. The Bill was to be used indiscriminately both in peaceful and disturbed districts, and the administration would be inherent in any bench constituted by two magistrates. If that were so, and one of them happened to be a man without legal training, the result would simply be calamitous. He hoped that the clause would not be worked without some such restriction as that which was now proposed. He believed that the adoption of the Amendment would permit it to be worked judiciously, quietly, calmly, and with increased strength. He had no wish to stand in the way of the most severe punishment of every odious act of outrage; for he thought that there was no condemnation strong enough for such offences. He hoped that the powers of the Bill would be reserved for such severe offences, or they would only create irritation, and would result in their gaols being crammed over and over again with persons against whom the provisions of the Bill were not really directed.

Mr. GLADSTONE said, they had before them an Amendment which amounted to a stipulation that a person should be appointed as one of the magistrates referred to in the sub-section, who should exercise a separate jurisdiction. To that Amendment Her Majesty's Government were not disposed to accede. He thought, on the whole, that it should be left to the discretion of the Lord Lieutenant to give effect to the principle which Her Majesty's Government were disposed to recognize—namely, that one of the Resident Magistrates ought to be possessed of the requisite amount of legal knowledge, apart from the other qualifications for the office. While regarding that principle as reasonable, he did not think it was so satisfactorily recognized in the Amendment as in the way which he should propose. The Government would, on the whole, prefer that the matter should be left to the discretion of the Lord Lieutenant without being specifically mentioned in the Bill; but, at the same time, if it were the wish of the Committee that it should be so mentioned, they would not object to insert words to the effect that one of the two persons who exercised this jurisdiction should be a person "of the sufficiency of whose legal knowledge the Lord Lieutenant shall be satisfied." The mere fact of a barrister having been called to the Bar seven years previously was really no security whatever that he was possessed of the profound legal knowledge and legal habits of mind which it was desirable to secure. In order to meet that desire they were willing that the words suggested should be inserted, although, as he had before mentioned, the Government would, on the whole, prefer not to include them in the Bill.

Mr. LABOUCHERE asked leave to withdraw the Amendment after the statement of the right hon. Gentleman, inasmuch as it was more clear than that of the Chief Secretary to the Lord Lieutenant, which left it uncertain as to whether it would always be the case that one of the magistrates should be a person learned in the law.

Mr. BIGGAR said, he had read a statement last week to the effect that three new Resident Magistrates had been appointed to Ireland. He did not know whether it was the case; but he had the impression that two of the three magistrates so appointed might be military men. He therefore took this opportunity of asking whether that was a correct view of the appointments alleged to have been made, and whether it was in accordance with the rule recently laid down—namely, that the persons to be appointed as Resident Magistrates should belong to the Legal Profession? He was strongly of opinion that barristers with legal training gained in the Quarter Sessions Courts would make much better Resident Magistrates than the men hitherto appointed. He was afraid, if the system of appointing military men continued, there would be no chance of any such alteration as the right hon. Gentleman had shadowed forth.

Amendment, by leave, *withdrawn.*

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he thought it better to dispose of the point at once which had reference to the legal qualifications of the Resident Magistrates, and, therefore, begged to move the insertion of the provision indicated by the right hon. Gentleman the Prime Minister.

Amendment proposed, New Clause 19, Section 3, line 5, after the word "magistrates," to insert the words—

"One of whom shall be a person of the efficiency of whose legal knowledge the Lord Lieutenant shall be satisfied."—(*Mr. Attorney General for Ireland.*)

Amendment *agreed to.*

MR. METGE said, he had an Amendment to propose which he thought Her Majesty's Government would hardly refuse to accept. His proposal, were it adopted, would not materially alter the constitution of the Court, although it would, of course, alter it to a certain extent. The magistrates in Ireland had not a large amount of public sentiment in favour of their jurisdiction; yet he was bound to say that the greater the number of members the greater would be the amount of confidence which the Court would secure. He thought the Court should be composed to some extent of men who took the popular view in politics, and should not be restricted to men of one shade of political opinion. There were a number of Roman Catholic magistrates, for instance, in each county, who in politics were Whigs, but who, nevertheless, would be likely to secure for their decisions a certain amount of public confidence, inasmuch as the people would regard them as likely to be bound by what was considered to be fair dealing as between man and man. These gentlemen, he thought, might with advantage be members of the Court, because he regarded any alteration as an improvement which tended to modify the harshness of the judicatory system proposed to be established by the clause. He repeated that his suggestion would not materially alter the constitution of the Court; and, further, the decision of the Court would almost invariably be that delivered by the Resident Magistrates, particularly as the Prime Minister had consented to the principle that one of these should be a man of legal knowledge. He appealed to Her Majesty's Government to agree to the Amendment he was about to move, because it would tend to create a feeling amongst the people that some small measure of justice might be looked for at the hands of the Court.

Amendment proposed, New Clause 19, Sub-section 3, line 5, after the word "sessions," insert the words—

"And such other justices as shall be present, having jurisdiction within the district where such sessions are held."—(*Mr. Metge.*)

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, the clause creating summary jurisdiction in cases of intimidation, riots, assaults, and so forth, had been passed by the Committee distinctly on the understanding that the Court should be composed of two Resident Magistrates. If the Government had framed the Bill so as to include all the Justices, and if the great majority of the House had approved the Bill in that shape, then any Amendment excluding those Justices would on a clause of this nature have been vigorously opposed by the Government. There were arguments for and against the Amendment of the hon. Member. There would, for instance, be a certain value in associating the non-professional elements of the Bench in these important decisions, But the principle of the clause having been agreed to, the Government could not alter the lines upon which it was drawn and, at the same time, keep faith with the House. For these reasons the Government were unable to accept the Amendment of the hon. Member opposite.

COLONEL COLTHURST pointed out that no more unpopular Amendment could have been proposed than that of the hon. Member for Meath. He believed that the ordinary magistrates in Ireland did not desire to administer this Bill, and he was quite certain that the public opinion in the country did not wish them to have anything to do with it. He was compelled to say that his hon. Friend opposite had acted in a most inconsistent manner in proposing to appoint to this office a class of magistrates against whose appointment he and his Friends had always contended.

MR. FINDLATER said, he thought it would be an unpopular thing to introduce ordinary Justices of the Peace on the trial of summary jurisdiction cases.

MR. R. POWER agreed with the hon. and gallant Member for Cork County (Colonel Colthurst) that the local magistrates had a great objection to being made the instruments for carrying out this Act. It was desirable that the local magistrates should not have anything to do with the summary conviction of persons for offences under this Act which occurred in their neighbourhood.

Mr. BIGGAR said, he was surprised that Gentlemen like the hon. Member for Waterford (Mr. R. Power), who knew the Irish magistrates well, should make so unfavourable a report of them as to say that they were ashamed to have anything to do with the administration of this Act. It seemed rather a strong argument against the Amendment. Nevertheless, he thought that the local magistrates should be associated on the Bench with the Resident Magistrates; and he should, therefore, support the Amendment before the Committee.

Mr. METGE rose in his place.

The DEPUTY CHAIRMAN (Mr. Courtney): What is the object of the hon. Member's rising—the hon. Member having spoken once? The hon. Member has a right to explain, but must not enter into any argument.

Mr. METGE: If the hon. and gallant Member for Cork County were only expressing his own view——

The DEPUTY CHAIRMAN (Mr. Courtney): Order! Order! That is not an explanation.

Question put, and *negatived.*

The DEPUTY CHAIRMAN (Mr. Courtney) said, the Amendment handed in by the hon. Member for Wicklow, having reference to a subject which was decided upon by the Committee at the previous Sitting, could not be put.

Mr. BIGGAR said, in the absence of the hon. Member for Meath (Mr. Sheil), he would move the next Amendment standing in his name. It appeared to him that this Act was of so stringent a character that there ought to be a right of appeal in all cases of summary jurisdiction. He was unable to see how the Government could resist that proposal consistently with the desire they had expressed that no innocent persons should suffer injustice in consequence of this Act. If the party were guilty against whom the decision were given, the Court of Appeal would, of course, confirm the decision; on the other hand, if they believed that the decision was wrong, it would be only reasonable that the accused should escape punishment. He hoped the right hon. Gentleman the Chief Secretary would see the justice of according the right of appeal in all cases of summary conviction.

Amendment proposed, in Sub-section 5 of New Clause, line 2, to leave out the words "exceeding one month."—(*Mr. Biggar.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. FINDLATER said, he thought that the discussion which had taken place with regard to the constitution of the Magisterial Bench, showed that there was nothing unreasonable in the Amendment of the hon. Member for Cavan, to the effect that there should be an appeal in every case of imprisonment under this Act. The Committee would observe that not only was the right of appeal denied in cases of imprisonment for one month and under, but that the right to apply for a writ of certiorari was also taken away. He thought there ought, in every case, to be the right of appeal, because it was probable that under the clause as it stood a magistrate might, in the majority of cases, inflict a penalty of one month's imprisonment with hard labour, knowing that his decision would not be reviewed by a Superior Court.

Mr. HOPWOOD said, he trusted the Government would agree to this Amendment. There was a good precedent for doing so in the English Summary Jurisdiction Act, which had now been a year in operation. Under that Act, in all cases of imprisonment without the option of paying a fine the right of appeal accrued. So far from that Act having led to an excessive number of appeals, he believed there had been exceedingly few. It was, he thought, a strong argument in favour of the Amendment, that the power of appeal exercised an excellent influence over the Court which was subject to it. Anyone who had to exercise this jurisdiction in the face of the possibility of appeal was sure to devote himself with greater care to the administration of the law, and to observe the exigencies of the case before him with greater nicety and attention. In his opinion, this would be a very salutary Amendment to insert in the Bill, and, as he had already pointed out, there existed a good precedent in its favour in the Act to which he had referred.

MR. P. MARTIN said, the Committee would observe that, the order once made under the provisions of this subsection, it was specially provided that it could not be questioned in any way whatever. His hon. Friend the Member for Monaghan (Mr. Findlater) had pointed out that the clause not only took away the right of appeal, but the right of applying for a writ of certiorari. That being so, it constituted an all-sufficing reason why the right of appeal should be conferred in every case of imprisonment. Now, he believed the Chief Secretary to the Lord Lieutenant must admit that it was quite as probable that mistakes might occur and injustice be inflicted in the imposition of sentences for less than one month, as in those exceeding that term — nay, the lightness of the sentence sometimes made some magistrates more careless in the conduct of a trial. The existing law in Ireland, in cases of assault, it was true, when a man was sent to prison for a month, did not give an appeal. But Government had already admitted this was a grievance, and promised to introduce a Summary Jurisdiction Act for Ireland similar to that in force in England. It must be borne in mind that imprisonment was a degrading punishment. Ought they not to try to prevent the imposition of such a stigma on a possibly innocent man? In dealing with a matter of this kind, they ought to proceed on the supposition that there were law-abiding and peaceable citizens in Ireland; and he said it was a monstrous thing if a person of this class had an unjust stigma cast upon him, that he should have no power of getting it removed by appeal to the County Court, or by application for a writ of certiorari. He trusted the right hon. Gentleman would see his way to the adoption of this Amendment.

SIR EARDLEY WILMOT said, this Amendment deserved great attention on the part of the Committee. They had it in the clause that the right of appeal from the decision of a Court of Summary Jurisdiction was not to exist in the case of a sentence of one month's imprisonment. He was quite unable to see that there was any less hardship in being imprisoned for one month than there would be in being imprisoned for six months; and the hon. and learned Member for Kilkenny (Mr. P. Martin) had pointed out with perfect truth that a stigma would attach to anyone who had been subjected to imprisonment, however short the term might be. This was, in his opinion, a forcible argument in favour of the Amendment of the hon. Member for Cavan. He would remind the Committee that when summary jurisdiction was first introduced, the great argument of those who resisted it was that a perfectly innocent person might be subjected to imprisonment, and the stigma attaching thereto, without the power of obtaining redress. For these reasons he said that the Amendment was entitled to the consideration of the Committee. When the Bill first came before the House it contained no provision for appeal in these cases. But the Government had since then very properly yielded on the point, and the right of appeal had, under certain circumstances, been conceded. Moreover, it was only a few minutes ago that the Government had consented to introduce words into the clause which would insure some amount of legal training on the part of one of the magistrates who would exercise this summary jurisdicdiction, and, therefore, he thought they should not give up the hope of obtaining the assent of the Government to the Amendment before the Committee.

MR. TREVELYAN said, the hon. and learned Gentlemen who had stated their views upon this subject had not stated the whole of the case. The clause, so far as the right of appeal was concerned, followed as far as it could do so, and altogether in spirit, the rules of procedure under the Petty Sessions (Ireland) Act of 1851. That Act conferred the right of appeal in all cases where a fine exceeding 20*s*. was imposed. But in this Bill no fines were created, and, therefore, the appeal given in the clause was consonant with the existing Irish law. Now if, under the existing Irish law, a man might be sent to prison for an assault for one month without appeal, where was the grievance that, under this clause of a Bill imposed under exceptional circumstances, and for a limited time, the same power should be given? He could see none. But the hon. and learned Member for Stockport (Mr. Hopwood) had quoted the 19th section of the Summary Jurisdiction Act (England), 1881, which laid down the general principle that wherever a sentence of imprisonment without the option of a fine was imposed, the accused might appeal. But it must be remembered that in England, if the accused were guilty, he would be convicted if tried by a jury, and in that case would have no right of appeal; whereas the one main cause of the stringent form of summary jurisdiction proposed in this Bill was that trial by jury had confessedly failed. That was the opinion of the House as a whole, and, therefore, the clause, which was a substitute for the English Summary Jurisdiction Act, constituted a great concession, inasmuch as an appeal was allowed in respect of five-sixths of the punishment awarded. The Government were giving the power of appeal to an extent greater than was allowed in the English Act, which was reserved only in respect of the one month's imprisonment instead of the other five. Again, it must be remembered that the right of appeal proposed in the Amendment before the Committee would bring about very serious practical inconvenience. The great object to be kept in view with regard to punishment in general, and especially with regard to crime in Ireland, which the Bill was intended to prevent, was that it should be both certain and speedy. He was told by one of the Resident Magistrates in Ireland that a light, but speedy and certain, punishment was very much more feared than a heavier punishment, which it was known would not be inflicted until after a certain lapse of time. Now, at the present time, Quarter Sessions Courts were held four or five times a-year, and the probable effect of the clause as it stood would be to require them to sit very much oftener. But the Committee would not believe that the habits and obligations of gentlemen who composed the Quarter Sessions Courts could be so altered that they should be always sitting to hear appeals, which would, if the Amendment were adopted, be always coming up to them from the Lower Summary Jurisdiction Courts. It was reasonable to believe that the delay caused would be very great, and that it would have a serious effect in diminishing that just respect for the punishments of the law which was, above all things, desired.

Mr. METGE said, the argument of the Chief Secretary for Ireland was that the object of the Bill was to strike quickly and certainly—that was to say, if they could get hold of the criminal. But the contention of Irish Members on that side was that the Government could not do this; and, moreover, that their inability in this respect was likely to continue. Again, the right hon. Gentleman, in the course of his observations upon the Amendment, had told the Committee that it would lead to inconvenience. Now, surely, there never came from the Treasury Bench such an argument in favour of refusing the right of appeal to persons convicted under an Act of Parliament. But he also said that the right of appeal was to be refused, because it was refused under the law as at present existing in Ireland. The right hon. Gentleman could not believe that the Committee would for one moment take in an argument which, to the most obtuse mind, must appear fallacious. Because the existing law in Ireland refused appeal in cases of imprisonment of not more than one month, therefore that law was to be applied in this Act. But the English Act referred to was intended to meet such cases as a man not having his name on a cart, being a little drunk, committing some trifling assault, or using strong language. But persons guilty of offences under the Bill would be liable to be punished by this Court of Summary Jurisdiction; probably many trivial cases would be brought before them, and he had no doubt that they would in such cases always award the highest meed of punishment possible, up to one month, in order to avoid appeals. The most trifling offences against the ordinary laws of society might be construed by the magistrates into offences against this Act. He would not enter upon the conflicting definitions of the crime of intimidation given in the Bill, because that subject in itself would afford legitimate room for occupying the time of the Committee until the Sitting was adjourned. But under that head alone many offences would be brought before the magistrates of the most trivial character. The Committee was familiar with such cases as little boys looking in an intimidating manner at policeman, and as if they were going to be impudent to them. The right hon. Gentleman smiled at this, but it was no laughing matter to the little boys who were punished. The cases he referred to would, of course, be described as extreme; but he was contending that the scope of the section was very wide, and that unless the Amendment were adopted, the magistrates in similar cases would have the strongest inducement to inflict a month's, or less than a month's imprisonment, in order that their decisions might not be reviewed by a higher Court. He feared that in the administration of this clause the magistrates would lay aside the principle, which was said to be the proud boast of the English Criminal Law, that an accused person should have the benefit of the doubt, and be inclined to say—"This man, having offended once, is likely to offend again; we will not give him the benefit of the doubt; we will give him a month's imprisonment." He contended that the appeal asked for could do no harm. The Chief Secretary to the Lord Lieutenant said it would lead to delay; but, in reply to that, he would point out that to a large extent the right of appeal would not be acted upon, except in cases where the decision of the magistrates was flagrantly unjust. No solicitor would take up the case of a poor boy without there were friends at his back who could pay, and certainly not merely for the purpose of trying to evade justice. The Amendment would do no more than allow decisions to be reviewed where there was a good case, and which, if they were not reviewed, would be regarded with the greatest disgust by the whole community in Ireland. He thought the point was one which the Government might reasonably concede. When he considered what was to be the constitution of the Court, and the arbitrary character of the functions which were to be exercised by the magistrates who composed it—when he considered that it was a Court which would not for one moment be permitted to exist in this country, whatever might be the arguments for or against its existence in Ireland, he thought that no fair-minded man could wish that the cases which came before it should not have the right of appeal extended to them all. The Attorney General for Ireland had, on a former occasion stated, in reply to a question which he (Mr. Metge) had put to him, that the Irish Resident Magistrates were practically under no control whatever. The right hon. Gentleman was forced to acknowledge that these officials, who were practically despotic, and who even, under the existing law, could do what they liked, were subject, so far as their decisions were concerned, neither to the control of the Lord Lieutenant nor of the Crown—that no Court could review the sentences which they chose to pass upon unfortunate criminals. But, under the present Bill, that danger would be increased threefold, because not only would the arbitrary power of the magistrates, under the old law, continue to exist, but it would be extended over the unlimited area opened up by bringing under the jurisdiction of the Resident Magistrates many offences which were utterly beyond the scope of the English law and the necessities of the case.

MR. R. POWER said, he was surprised that the Government could not see their way to consider the Amendment favourably, having regard to the circumstance that it had been advocated by Members of all shades of opinion. It had been supported by the hon. Member for Monaghan (Mr. Findlater), by three English Members, and by the hon. Member for Meath who had just spoken. The Amendment meant nothing more than that persons brought up before the Resident Magistrates upon trivial charges should have the right of appeal. The right hon. Gentleman, in the course of his arguments against it, said that under the Bill no fines were imposed; but he (Mr. R. Power) regarded that as one of its greatest defects. Further, the right hon. Gentleman said that under the existing law in Ireland a man could be imprisoned for a month without appeal; but here, again, he could not agree with his argument, because he could not admit that because the old law allowed no appeal in the cases in question, that law should be embodied in this Bill. His own view was that accused persons, under all circumstances, should have the right of appeal, especially in the cases contemplated here. The magistrates who were to administer the Act were a class of men in whom, rightly or wrongly, the people of Ireland had no confidence; and it should be remembered that, without doubt, a great many innocent persons must be arrested and brought before them. The powers of the Act, too, were of a most sweeping character, and it should also be borne in mind that they were to be put in force by men who were unknown in the country. These magistrates might be the most honourable and worthy gentlemen in the world, or they might not; but, at any rate, there was no reason to believe they were better than some of the men who had previously carried out the law in Ireland. Again, there could be no doubt that at the present time the police in Ireland were strongly imaginative. It was only a few weeks ago that a Miss Reynolds, of the Ladies' Land League, was arrested on a charge of intimidating a policeman, who, in reply to the magistrate, said that the intimidation consisted in frowning at him. That was the sort of thing policemen, at the present time in Ireland, called intimidation; but anyone who was personally acquainted with Miss Reynolds would know that no one could be so intimidated by her. Then there was the case of the malicious boy who put "no" before the word "rent" on a placard displayed by way of advertisement on the backs of some pigs. The pigs were arrested and imprisoned; but he was glad to say that the owner could not be found, for had the police got hold of him he would have been imprisoned too. The constitution of the Court was one of the things they were bound to keep before them in considering this question, because in many cases, he did not say in all, very little confidence was placed in them by the people. That being so, he said that the Amendment would produce a salutary effect both in the minds of the people and upon the magistrates themselves, who would, when they knew that the right of appeal could be exercised by the accused in all cases, be far more careful in their decisions. For these reasons, he earnestly appealed to Her Majesty's Government to accept the Amendment of his hon. Friend the Member for Cavan.

Mr. T. C. THOMPSON said, the clause, as had been already pointed out, took away the right of application for a writ of certiorari—that was to say, the right which every person charged had of having the proceedings in his case reviewed by a Superior Court composed of the Judges of the land.

The DEPUTY CHAIRMAN (Mr. Courtney) said, the question as to taking away the right to apply for a writ of certiorari had not arisen. The Question before the Committee was whether the words "exceeding one month" should stand part of the clause.

Mr. T. C. THOMPSON said, he was aware of that fact; but he was arguing that the right of appeal should be given in exchange for the right of application for a writ of certiorari which was to be taken away. The Committee would be aware that the right of appeal was conferred by Act of Parliament; but that the right to a writ of certiorari, was the prerogative of the subject, and could only be taken away by Act of Parliament. Therefore, he appealed to the Committee not to be guided by any appearance of kindness on the part of the Crown, but to look to the fact that they were depriving the Irish people of great prerogatives which had existed for centuries. He held that the right of appeal should be extended to sentences of one month's imprisonment, or that the right to a writ of certiorari should not be taken away.

Question put.

The Committee *divided:*—Ayes 187: Noes 33: Majority 154.—(Div. List, No. 240.)

Mr. FINDLATER moved as an Amendment to Mr. Attorney General for Ireland's New Clause 19, Sub-section 5, line 3, leave out from "appeal" to end of sub-section, and insert—

"Either against the conviction and sentence or against the sentence within two days after the same shall have been pronounced to the Queen's Bench Division of the High Court of Justice; such appeal shall be by notice in writing served on the gaoler in whose custody the accused may be, or on one of the resident magistrates who made the conviction; such notice shall not be deemed insufficient by reason of any defect or omission whatsoever. The said notice of appeal if served upon the gaoler shall forthwith be sent by him to one of the resident magistrates who shall have made the conviction, who shall within twelve hours after receipt thereof transmit the same, together with the evidence taken on the hearing of the case, and the original order of conviction, to the Master of the Crown Office. Within one week from the receipt of the notice of appeal by the Master of the Crown Office, such appeal shall be set down and heard by any two judges of the High Court of Justice. The judges shall sit for hearing such appeals according to a rota to be determined by the Lord Chancellor. Every such appeal shall be a re-hearing of the evidence taken in writing in manner by this Act provided, and the judges hearing the same may confirm, modify, or reverse any conviction or sentence so appealed against, and in case the judges hearing any such appeal shall disagree as to the determination thereof, then the conviction or sentence so appealed against shall be reversed. The resident magistrates, or one of them, who shall have made any conviction which shall have been appealed from, may, if they or he think fit, discharge the person so appealing on sufficient bail pending the hearing of any such appeal."

The hon. Member explained that his object in proposing this Amendment was to secure a simple and expeditious method of appeal, and also to provide that the Judges who should sit for the hearing of appeals should be selected in accordance with the rota to be determined by the Lord Chancellor. It also provided that within a week from the receipt of the notice of appeal the appeal should be set down and heard by two Judges of the High Court of Justice, and that every appeal should be a re-hearing of the evidence taken in writing as provided by the Act. His Amendment further provided that the Resident Magistrates who had made a conviction that was the subject of appeal should have power to discharge the person appealing on sufficient bail being tendered pending the hearing of the appeal. As the clause now stood it would be necessary for a person appealing, if he could not get the appeal heard at the Petty Sessions, to wait until another Sessions, which would be very objectionable.

Question proposed, "That the words 'against such conviction to a Court of General Sessions held in pursuance of this section' stand part of the Clause."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) opposed the Amendment on the ground that, instead of giving a cheap and expeditious means of appeal, it would invent a new machinery, requiring an appeal to be sent to the Court of Queen's Bench, and it would occasion very considerable delay and a large additional expense. He did not know it was intended that witnesses should be examined; but, probably, that was not the case, because provision was made that evidence might be given in writing. But what was proposed by the hon. Member was that a person, instead of having an appeal to a Court at his own door, where he could call whatever witnesses he chose, should be put to the expense of going to Dublin in order to prosecute an appeal before a Superior Court. It was perfectly plain that such a provision would only defeat the object his hon. Friend (Mr. Findlater) had in view, and in many cases would deprive an accused person of the benefit of the appeal given by the Bill.

MR. BIGGAR said, he gathered from the remarks of the hon. Member for Monaghan (Mr. Findlater) that this was only an alternative appeal—that, in the first instance, there would be an appeal to the Court of Petty Sessions; but that if it were found desirable to go to another Court, such power should be in the hands of the accused person. Personally, he (Mr. Biggar) was of opinion that it was most desirable to have the two modes of appeal. The Court of Petty Sessions only met once every three months; and a large amount of punishment might be inflicted before an appeal could be heard. Although it might be more expensive to carry the appeal to Dublin in certain cases, it would be more in conformity with the principles of justice that there should be such power of appeal.

MR. T. C. THOMPSON said, he was of opinion that in regard to the question of expense, the difficulty might be got over in this way. It was a very common thing in the Courts of Law in England to send up cases for the decision of the Courts above. In this case the whole matter might be sent up to the Courts in Dublin with very little expense at all; and so far as the unfortunate criminal was concerned, it might be most desirable that he should have the power of appealing to a tribunal which should be altogether removed from the suspicion of partiality; and in the end it might be much cheaper than the expense and trouble involved in appealing to the Court of Quarter Sessions. Personally, he did not think too much weight ought to be attached to the argument of expense.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the ordinary course pursued in England in regard to appeals did not altogether apply to Ireland; and he wished, further, to point out that an appeal to a Superior Court would exclude the accused from the advantage which he possessed on the spot of being able to adduce additional oral evidence.

MR. WARTON pointed out that the Amendment practically left out the whole of the sub-section of the clause, and constituted a different mode of procedure.

Amendment *negatived.*

[*Twenty-fourth Night.*]

Mr. FINDLATER said, that the next Amendments which stood in his name upon the Paper were merely consequential, and he should not move them.

Question, "That the Clause, as amended, stand part of the Bill," put, and *agreed to.*

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) moved, in page 10, after Clause 21, to insert the following Clause:—

(Regulation as to warrants and notice of trial.)

"(1.) A warrant for the trial by a special commission court of a person charged with an offence shall be in the prescribed form, and shall, subject to the other provisions of this Act, be issued before he is arraigned for trial for such offence before some other tribunal in the ordinary course of law, or before the expiration of two months from the date of his being committed for trial, whichever of such events may first happen.

(2.) A copy of a warrant for the trial of a person before a special commission court shall be served on such person in the prescribed manner not less than fourteen days before his trial before such court begins, and shall be published in the Dublin Gazette, and shall be laid before Parliament, within fourteen days, if Parliament be then sitting, and if not within fourteen days after the then next meeting of Parliament.

(3.) Not less than fourteen days before the sitting of any special commission court to try a person for any offence, public notice shall be given in the prescribed manner in the locality in which the person charged with such offence was committed for trial, stating the names of the special commissioners, the said offence, the name of the person charged with such offence, and the place at which the court will sit and the day on which the sitting of the court will begin. A copy of such notice shall also be served in the prescribed manner, and within the prescribed time, on the person to be tried.

(4.) An objection to the jurisdiction of a special commission court to try a person for any offence shall not be entertained by reason only of any non-observance of the provisions of this section; but the court, on application, may adjourn the case, so as to prevent any person charged being prejudiced by such non-observance."

Motion made, and Question, "That the Clause be read a second time," put, and *agreed to.*

Clause *added* to the Bill.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) moved to insert the following Clause:—

(Rota of judges.)

"(1.) The judges to be members of a special commission court, and the judges to sit in the Court of Criminal Appeal under this Act, shall be respectively selected according to separate rotas to be determined by ballots held at the prescribed time and in the prescribed manner; but where a judge appears to the Lord Lieutenant to be, on account of illness or some reasonable cause, ineligible, the judge next on the rota shall be selected.

(2.) Any judge appointed after either rota is determined shall be added after all the other judges on the rota.

(3.) An objection to the jurisdiction of a special commission court, or of the Court of Criminal Appeal under this Act, shall not be entertained by reason only of the rota of the judges to form or sit on such court not having been properly determined, or not having been observed."

Motion made, and Question, "That the Clause be read a second time," put, and *agreed to.*

On Question, "That the Clause be *added* to the Bill?"

Mr. T. C. THOMPSON said, he wished to draw the attention of the Committee to the character of this clause. They were establishing a new Court—a Court almost unknown to this country—which was to consist of Judges who were to try both the facts and the law. If it were a Court of Judges only to try questions of law, he would have no objection to their being selected by rota or by ballot, because it was only a fair inference that all the Judges would be equally acquainted with the law of the land. But this was a question of law and fact combined together, and consequently a very different state of circumstances arose; and they had to consider whether all the Judges were able to form a correct decision in all cases. It must be borne in mind that the Judges assigned to this work were to perform the duty of juries, and he did not doubt for a moment that the Judges of the United Kingdom were pre-eminently qualified to pass opinions upon questions of law, and that a good many of them would be able to act as jurors as well as Judges; but it was very well known that there were a limited number of Judges well acquainted with the law to whom questions relating to particular facts could not be advantageously referred. They were gentlemen who had passed their lives in the consideration of subjects entirely alien from those questions of that nature, and many of them would be altogether unable to address a jury upon such subjects. By adopting the system of rota or ballot, there would be no means of eliminating from the tribunal men who would themselves be the first to say that they were utterly unqualified for this purpose. Instead of a rota, he would suggest that the Judges should be selected by the Lord Chancellor, whom he believed to be the highest judicial officer in Ireland. He was of opinion that if they left the Lord Chancellor to fix the rota of Judges who were to decide these cases, he would select men who were infinitely better qualified to consider the questions that would arise than if the selection were left to a chance ballot. At any rate, the question was one which was worthy of consideration.

THE ATTORNEY GENERAL (Sir HENRY JAMES) thought that the hon. Member for Durham City (Mr. Thompson) had treated this new clause somewhat ungratefully, seeing that it had been brought in by the Home Secretary in order to meet the suggestions and wishes of the Irish Members themselves. The original suggestion of the Government was that the rota should be selected by the Lord Chancellor; but so much objection was taken to that proposition that his right hon. and learned Friend had agreed to bring up a new clause providing that the Judges should be selected by ballot.

MR. R. POWER said, he hoped the objection to the clause would not be pressed. The Government, in adopting the principle which was given effect to in the clause, had simply carried out the suggestions of the Irish Members. He was ready to believe that the present Lord Chancellor was a man in whom they all had the greatest confidence, and for whom they entertained the highest respect, and he was satisfied that the Lord Chancellor would do nothing unfair; but, at the same time, it was at the suggestion of the Irish Members that this amended clause had been introduced, and he did not think it would be fair to the Government to reject it.

COLONEL NOLAN said, the Government, in introducing this clause, had done their best to meet the objections which had been raised by the Irish Members, and he hoped his hon. Friend the Member for Durham City (Mr. Thompson), in this particular instance, would withdraw his opposition. The hon. Member had acted throughout the discussion of this Bill in a kindly spirit towards Ireland; but the present clause certainly met with the support of the Irish Members.

MR. M'COAN said, his hon. Friend the Member for Dungarvan (Mr. O'Donnell) had placed an Amendment on the Paper expressly providing that the Judges should be selected by ballot. He regarded the clause now proposed as a concession on the part of the Government to that extent, and a concession for which the Irish Members ought to be grateful.

MR. METGE said, he quite agreed with what had been stated by his hon. Friends, that this was a clause which ought not to be rejected. With regard to being grateful to the Government for their clause, that was absurd. They had nothing whatever to be thankful for to the Government in respect to any portion of the Bill, as the whole of this legislation was simply a travesty of justice. So far as the Court itself was concerned, instead of having an impartial Judge standing between the accused and the Crown, they had a body of Judges who assumed to themselves the office and functions of Crown Prosecutor and jury as well. No matter how the Judges were selected, that fact alone, upon the face of it, ought to insure the condemnation of the Bill; and it must also be borne in mind that the proposals of the Government in regard to the tribunal it sought to establish were condemned by every one of the Judges upon the Irish Bench. He thought that fact could not be brought too often before the Committee. The working of the Bill would be placed in the hands of men selected by ballot from a body that was altogether opposed to the principles upon which the Bill was founded.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that this clause had been introduced by his right hon. and learned Friend the Home Secretary, to meet any possible objection that the choice was made for a political purpose, in fulfilment of a promise to the Committee.

Question put, and *agreed to.*

MR. T. C. THOMPSON said, he had an Amendment to propose to this clause. He had not understood the Chairman to put the Question, "That the Clause be added to the Bill."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, the hon. Member was too late. The clause was already disposed of.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the clause he was about to move represented an effort on the part of the Government to retain trial by jury. He supposed there was no Member of the House who was not satisfied that the system of trial by jury as it then existed in Ireland, was absolutely unworkable. Over and over again the Judges had complained that verdicts were given against the evidence and in spite of the charges given to the juries. It was, therefore, plain that trial by jury in its present form in Ireland could not be retained, and, acting upon that view, the House had passed a clause empowering the Lord Lieutenant to substitute for trial by jury, trial before a Special Commission Court in certain cases. He repeated that this was an effort on the part of the Government to retain trial by jury. At present, although the humblest individual of the community might, if he thought fit, in a matter affecting his property, have the case tried by a special jury—by persons of larger intelligence and of better education and position in the country, who might be supposed to be superior, in consequence, to influences which operated sometimes in the case of common juries—yet if he were arraigned on a charge by which his life was imperilled, he would be tried by a common jury. This clause, then, proposed that the Crown, in the cases specified therein, might require that the jury should consist entirely of special jurors. The special jurors who would form the panel, as the common jurors did now, would be selected by ballot as at the present time. So that the Crown on the one hand, or the accused on the other, might have the case tried under precisely the same circumstances as those under which an accused person was then tried, except that he would be tried by a jury of a higher class of intelligence. For the purpose of obtaining greater impartiality, the clause provided that special jurors should be contributed by a county of a city or town, as well as by a county, as mentioned in the first column of the 2nd Schedule to the Bill. They would be taken by ballot from the two panels, and the Sheriff of each of the contributory counties would deliver to the officers of the Court the ballot cards of the two counties, which would be mixed in the ballot box. The Solicitor to the Crown and the solicitor for the prisoner would then compare with the panels the name, address, and number of each person whose name came out upon the card, so that they would be able to see at once whether any objection arose to the name of any juror which enabled them to challenge. The clause did not in any way interfere with the right of the prisoner's challenge. He begged to move the insertion into the Bill of the following clause:—

Special Jurors.

(Special jurors in criminal cases.)

"(1.) Where the trial of a person charged with an indictable offence would otherwise have been held by a jury before some court not being a court of general or quarter sessions, the Attorney General for Ireland, or the person charged, may, on serving the prescribed notice in the prescribed manner, require that the jury shall consist entirely of special jurors, and the jury shall consist of special jurors accordingly. Where more persons than one are to be tried altogether on the same charge, and notice for special jurors has not been served by the Attorney General, but has been served by some and not all of such persons, the jury shall consist entirely of special jurors or not, as the Court may direct.

Provided that a trial shall not be impeached on any ground connected with the qualification of the jurors or any of them.

(2.) The special jurors shall be taken by ballot in manner provided by the nineteenth section of 'The Juries Procedure (Ireland) Act, 1876,' from all the jurors upon the panel returned by the sheriff from the special jurors' book.

(3.) A county mentioned in the first column of the Second Schedule to this Act, and a county of a city or town set opposite the name of that county in the second column of the said Schedule, shall as respects special jurors be deemed to be contributory counties; and the special jurors of each of two contributory counties shall be lawful jurors for the trial of any person who is to be tried by special jurors in either of such contributory counties: and, whenever a trial requiring special jurors under this Act is about to take place in any one of two contributory counties, steps shall be duly taken by the sheriff of each of the said counties for returning to the proper officer of the court in which such trial is held the panel of the special jurors of his county, and the special jury for such trial shall be taken by ballot accordingly from all the jurors upon such two panels indifferently; and the sheriff of each of the said contributory counties shall deliver to the proper officer of the court the cards for such ballot, and the ballot shall be taken, in manner provided by the said nineneenth section of 'The Juries Procedure (Ireland) Act, 1876.'

The expression 'sheriff' in this section includes any officer who by law performs the duties of sheriff in relation to the return of jurors."

New Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

LORD RANDOLPH CHURCHILL said, he was of opinion, when he first saw this clause upon the Paper, that the placing of it there was an act of audacity on the part of the Government; but he was bound to say that this audacity had been exceeded by the speech of the right hon. and learned Gentleman the Attorney General for Ireland, who said that the introduction of this clause was an effort on the part of the Government to maintain trial by jury in Ireland. The proposal of the Government came a little late in the day, and it led to the question, why, having all along made up their minds to administer justice in Ireland by jury, did they come down to the House and ask them to abolish trial by jury and appoint a Special Commission Court to take the place of juries? This was not so much a question of law as of policy, and he ventured to say that when Ministers applied to Parliament for extraordinary powers, particularly as Parliament was at present constituted, they ought carefully to consider what they wanted, and not ask more than was absolutely necessary for the Government of the country. The Government had said to Parliament in effect, "We cannot govern Ireland without the absolute suspension of trial by jury;" and on the faith of that statement the House had agreed to the 1st clause of the Bill, which suspended trial by jury in Ireland. But now, after the Bill had been in Committee for a month, and hours and hours had been spent in discussing the question of the Special Commission Court, the Government came forward at the last moment and said they were going to make a grand effort to retain trial by jury in Ireland. Why, the proposal on the Paper, taken in connection with the next clause which was connected with it, was a Prevention of Crime Bill in itself, and he ventured to say it was the Bill which ought to have been brought in at first, and, moreover, that the House ought not to have been troubled with the conflicts which had taken place over the question of the suspension of trial by jury. He asked what had taken place in Ireland since the original proposals of the Government were laid on the Table to make this change of policy necessary? He ventured to say that this clause was the one on which the Government must act, instead of the clause which empowered the Lord Lieutenant to appoint a Special Commission Court to administer justice in Ireland without a jury, because under it they would obtain the same successful administration of justice as was obtained at the Cork Winter Assizes of 1881. It would be in the recollection of the Committee that everybody who was tried at those Assizes, against whom proper evidence was brought, was convicted. There was not a single miscarriage of justice at those Assizes, and the learned Judge, now Judge of the Court of Appeal, declared in respect of them that no juries could have done their duty better. The procedure at the Assizes in question was analogous to that prescribed in this clause and the next, with respect to which he was bound to say that the arrangements for changes of venue were somewhat startling. What he wanted to know was whether the clause represented the original policy of Her Majesty's Government; whether it was a *damnosa hæreditas* left to them by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), or whether it was the effect of a better state of mind in the right hon. Member for the Border Burghs (Mr. Trevelyan)? However that might be, let there exist a clear undertaking on the part of the Government as to whether they meant to administer justice in Ireland with a jury or without a jury. For his part, he thought it was obvious that the administration of justice in Ireland must take place under this clause, because anyone who had a knowledge of affairs in that country would very much sooner wish to see trials take place before juries than before the Special Commission Courts, which the Lord Lieutenant might appoint.

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, the noble Lord was not arguing against the clause moved by the right hon. and learned Gentleman the Attorney General for Ireland, but against a clause which was already part of the Bill.

Lord RANDOLPH CHURCHILL said, there appeared to be a little misunderstanding on the subject; but he was asking Her Majesty's Government on which clause they proposed to proceed? The House had granted them extraordinary powers, and, as they now came forward with a fresh proposal, it was only right to ask them which clause they meant to make use of for the punishment and prevention of crime in Ireland? [Sir William Harcourt: All the powers.] Then he ventured to say it was extremely unlikely they would succeed. He had made one or two predictions, on former occasions, as to what would happen with reference to the Government of Ireland, and in each case he had had the melancholy satisfaction of witnessing their fulfilment. He charged the Government with having deliberately wasted 14 days in suspending trial by jury, while it was their intention all the time to bring up a clause which would render that suspension altogether unnecessary. That was his prediction, and he said that if this clause was going to be used, it was not hon. Members behind him who ought to have been suspended, but that constellation of geniuses who sat upon the Treasury Bench.

Sir WILLIAM HARCOURT said, that the assistance which the noble Lord the Member for Woodstock (Lord Randolph Churchill) always rendered towards the passing of measures for the restoration of peace and tranquillity in Ireland was notorious. Last year the noble Lord had done what in him lay to render it difficult to pass the measures of this kind which were then before the House, although this year, owing to circumstances that all must regret, his opposition had been less active. But those regrettable circumstances might also account for his complete ignorance as to the progress of the Bill. The noble Lord seemed to imagine that the clause represented an entirely new idea on the part of Her Majesty's Government; but the fact was that he (Sir William Harcourt) had clearly indicated it when he first asked leave to introduce the Bill. At that time he stated as distinctly as possible that the proposal would be made, and it was only reserved as a matter of convenience in drafting, the question being whether it should be imported into the present measure or made the subject of a separate Bill. Hon. Members would know that, throughout the discussion on the clauses having relation to the appointment of a Special Commission Court, it was constantly kept before the mind of the Committee that this proposal was part of the general scheme of the Government. The noble Lord thought the proposal was good, and that the clause empowering the Lord Lieutenant to appoint a Special Commission Court was a bad one, and he asked which clause the Government were going to use? The answer was that they were going to use both of them; it was because they intended to use both of them that the two clauses were proposed. The noble Lord had spoken of the time occupied in the discussion of the 1st clause, and in doing so had simply multiplied the number of days by seven that were actually expended on it. [Lord Randolph Churchill: What, taking the second reading and the Committee together?] That point, however, was not material, and he would detain the Committee no longer than to express a hope that, although the Government had not had the voice of the noble Lord upon this occasion, he would vote for the clause if the second reading were challenged.

Mr. LABOUCHERE said, the right hon. and learned Gentleman the Secretary of State for the Home Department seemed to him to have pursued a most extraordinary course. In the speech just made he had fully justified Obstruction against the Bill, because he described it as a species of *omnium gatherum* measure, in which every Gentleman who had some sort of nostrum for the government of Ireland dragged in his clause. The right hon. and learned Gentleman had stated that he himself had some hesitation as to whether he should bring in the present proposal as a separate Bill. How could he suppose that a fresh Bill—the right hon. and learned Gentleman's own words—should be put in here, and that, almost without discussion, the Committee should vote for a proposal which would absolutely change the whole system of procedure with regard to juries in Ireland? The right hon. and learned Gentleman said that all this was in his mind, and that he had stated to the House, on the first reading of the Bill, that he intended to bring in a clause of this kind. But there must have been some reason why the clause did not appear in the Bill as submitted to the House; and he ventured to ask the right hon. and learned Gentleman whether the reason was not this—that he had forgotten to consult the Irish Judges on the subject, and that they had practically refused to accept the powers which he sought to throw upon them? Had not the right hon. and learned Gentleman said to himself that if he could not get the Judges to try the cases, he would tamper with the Irish jury system in order to pass the Bill? Everyone accused of crime was tried in Ireland now by a common jury; but the right hon. and learned Gentleman thought that common juries would not convict, and, therefore, he proposed to have special juries to try offences under this Act. The right hon. and learned Gentleman the Attorney General for Ireland had said that special juries were exempt from the list of common jurymen.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I said they were taken from the long panel.

MR. LABOUCHERE said, in any case, it came to this. It was admitted that in Ireland there were two hostile camps, one consisting of landlords and those connected with them, and the other consisting of the great mass of the population. He did not say this was admitted by everyone in the House; but that view was taken by a great many hon. Members. But what did this clause do? It must be admitted that the Bill itself was not alone aimed at outrage; it was aimed at political agitation; and, consequently, those who were accused of political agitation, and who belonged to what he might call the people's camp in Ireland, would be tried at the pleasure of the Attorney General for Ireland by juries who, in the main, would be chosen from the landlord class or those connected with that class. He believed it was in Magna Charta that everyone should be tried by his own peers, and he asked whether a man would be tried in Ireland by his own peers under this Bill? The noble Lord said it was more probable that a man tried for an offence with which politics were connected would obtain more justice from a tribunal of three Judges than from a special jury.

LORD RANDOLPH CHURCHILL: I said the Crown were more likely to obtain a conviction from a jury constituted in this fashion than from three Judges.

MR. LABOUCHERE said, he did not see the distinction. That was precisely the point, and he had put it to many Irish Gentlemen who were not then present. They said they did believe they would obtain substantial justice from the three Judges; but they did not believe they would receive substantial justice from the special juries, because everyone knew that when once political matter arose in any issue submitted to a jury the jury could not be depended upon. He asked the Chief Secretary to the Lord Lieutenant whether it was not a fact that, so far as his knowledge of Irish affairs extended, the probabilities were that these special jurymen would be chosen from amongst the ranks of the landlords or the classes connected with them? That was his strong objection to the clause. He thought that, considering the Executive had power to bring people to trial by three Judges without a jury, they might, at least, have carried out their first intention, and have left out this clause, which the Home Secretary himself admitted to be an after-thought, and one which only occurred to him after the Bill had been submitted to the House, and was about to be read for the first time.

MR. R. POWER regarded the clause as the most important one in the Bill, and he believed it would be certain to be called most into operation. The difficulty was that the Bill was an agglomeration of about 20 Acts of Parliament, and not a Bill *per se*, a fact which amply justified Irish Members in the course they had taken with reference to it. He asked hon. Members, with regard to this clause, who complained of the conduct of Irish Members in opposing the Bill, whether, if such a measure were introduced into this country, they would not have spent three times as long as Irish Members had done in discussing the Constitutional principles involved? Another difficulty was that the jurors had protested against their abolition, while the Judges had protested against becoming jurors. He believed the Government would find themselves awkwardly placed if they relied too much on the operation of this clause in Ireland. The Attorney General for Ireland said either the Crown or the accused had the right to have the case tried by a special jury. Well, supposing the prisoner applied for a special jury, if the Crown opposed him, would he get the special jury?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): He is entitled to exercise his right to apply for it.

MR. R. POWER said, then it might be taken that there would almost always be special jurors to try cases under the Act. He was glad it was to be the arrangement that wherever a prisoner applied for a special jury he would get it, and that the Crown would have no power to oppose him.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) was understood to signify assent.

MR. R. POWER regarded this as a most valable acquisition to the prisoner; it took away a great deal of the injury which, he believed, might be done by the clause.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Will the hon. Member allow me to explain?

MR. R. POWER begged the right hon. and learned Gentleman not to do that. He was quite satisfied. The right hon. and learned Gentleman said that the purpose of the clause was to maintain trial by jury; but it was difficult to imagine a more extraordinary means of doing that than the proposal before the Committee. The statement was that jurymen of a higher class were wanted; but the right hon. and learned Gentleman went to those whom he (Mr. R. Power) maintained were not fit to try the cases that would come before them under the Bill; and, further, he said, if the object of the Government was to maintain trial by jury, this could be easily accomplished by bringing in a short measure for the purpose. The right hon. and learned Gentleman also said that trial by jury in Ireland had failed. To a certain extent, no doubt, it had failed; but he denied that it had done so in respect of the majority of offences specified in the Bill. One of the offences so specified was treason or treason-felony, and he defied the right hon. and learned Gentleman to show any cases in which trial by jury in Ireland for this offence had failed to any extent. He remembered that, in 1866 and 1867, with one or two exceptions, all the persons charged with treason or treason-felony were found guilty by the juries. If the Bill were only applied to offences of a certain kind, he would not have the same objection to it as he had now; but its application to offences in respect of which juries had not failed to convict was most unfair to the jurors, and would probably cause a great deal of dissatisfaction in Ireland. However, as the Attorney General for Ireland had completely satisfied him upon the chief point as to which he desired an explanation, and as he knew the right hon. and learned Gentleman always adhered to anything he said in that House, he would not detain the Committee further than for the purpose of thanking the right hon. and learned Gentleman for the statement he had made, and of expressing his own opinion that the conviction of one man by jury would tend more to the tranquillity of a country than the conviction of three men by a Special Commission Court.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he had stated that, in certain cases, the Crown on one side, and the accused on the other, could apply for trial by special jury. He had said nothing whatever in reference to cases which were not to be tried by jury, and to which this clause did not apply. The Commission of Judges under the 1st clause was specially provided to be without jury.

MR. M'COAN asked in what cases the accused would have the right of electing to be tried by the Judges for offences under Clause 1?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, no person could have the option of electing to be tried by a Special Commission. That rested entirely with the Executive. It was in the option of the Representative of the Crown or the accused to claim to have the cases described in the clause tried by special juries.

MR. CALLAN said, that, knowing how cleverly juries were sometimes packed, he had not been so much opposed as others to the 1st clause of the Bill, which abolished trial by jury in certain cases specified. That clause empowered the Lord Lieutenant to appoint a Special Commission Court of three Judges to try charges of treason or treason-felony, murder or manslaughter, attempt to kill, aggravated crime of violence against the person, arson, whether by Common Law or by Statute, and attack on dwelling-house. That being so, why, in the name of common sense, did the Government want a special jury to try other cases? It appeared to him that the Bill would, on political occasions, be worked to the disadvantage of the prisoner. If a prisoner was to be tried in the counties of Cork or Limerick, the Government would send down a Special Commission for the purpose; but in the North of Ireland, where the Catholics were in a minority, and where the Liberal Party would also soon be in a minority, they would send the prisoner before a special jury. It would then be seen how little mercy a Catholic would get at the hands of the Presbyterians. In his opinion, a Catholic would be better protected by a Commission of Judges than by such a jury. An Ulster special jury composed of Presbyterians, even if a man charged with murder before them were not guilty, would hold him guilty of constructive murder, as Irish Members had been held guilty of constructive Obstruction.

MR. LYULPH STANLEY said, he understood the right hon. and learned Gentleman the Attorney General for Ireland to say that this clause had no relation to the 1st clause of the Bill, or to the offences which were to be tried by the three Judges. Moreover, he understood him to say that the clause gave an alternative to the trial by the three Judges. The clause said that in the case of indictable offences which were only tried at the Assizes, it would be at the option of the Attorney General or the prisoner to elect that the case should be tried by a special jury. But the 1st clause of the Bill selected a certain number of grave Assize offences, and said that the Lord Lieutenant might elect to have those offences tried by a Special Commission Court of three Judges; and surely it was correct to say that the new clause practically gave the power in one case to the Attorney General and in the other to the Lord Lieutenant to say whether they would have these cases tried by the Special Commission Court or by special jury, only if they did not elect to have a case tried by the three Judges the prisoner would then have the option of trial by special jury. Surely, then, it was correct to describe this as an alternative clause.

MR. R. T. REID said, the hon. Member for Louth (Mr. Callan) had pointed out that any indictable offence might be tried by special jury, whether or not it was one of the offences included in the 1st clause of the Bill, and which it was intended to deal with in a particular manner. Did the Government intend that such an offence as fraudulent bankruptcy, for instance, should be dealt with in a different manner than at present? He thought the Government should introduce some words limiting the number of indictable offences in order to avoid confusion.

MR. P. MARTIN said, it would only have been fair and right that this clause, which proposed a general amendment of the Irish Jury Law, should have been submitted to the House when the Bill was first proposed. He considered it unreasonable that, in this sudden manner, the Government should have thus proposed a question of such grave importance for the consideration of the Committee wearied with the lengthened discussions which had taken place. Trial by jury in Ireland at the present moment was not satisfactory; on the contrary, he admitted that in many respects it had failed. But if it had failed it had not done so to any such extent as would justify the introduction of the remedy suggested by the clause. His hon. Friend near him was right in saying that, in point of fact, under this clause, the Attorney General might have every indictable offence committed in Ireland tried by special jury, and in any locality he pleased. The clause was not restricted to agrarian offences; it extended to every possible indictable offence. Now, before the Committee conceded so extensive a power as that, he asked them to consider the necessities of the case; and he would remind them of a remarkable statement of the Prime Minister made last year, which would be found recorded in *Hansard*, to the effect that in Ireland, where it was said no jury could be got in agrarian cases to convict on the clearest evidence, the number of convictions for criminal outrages were in larger proportion than in England.

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

New Clause (Special jurors in criminal cases).—(*Mr. Attorney General for Ireland.*)

Motion made, and Question proposed, "That the Clause be read a second time."

MR. METGE complained that one of the greatest difficulties Irish Members had to contend with was the diversity of opinion on the Treasury Bench with regard to the legal meaning of the commonest words in the Bill. Upon this clause there had been two distinct interpretations. The Attorney General for Ireland, when interrogated by the noble Lord the Member for Woodstock (Lord Randolph Churchill), stated positively that under this clause it would be possible for a person charged with an offence to have his case tried by a special jury. On two occasions he rose to support that view, and when he was pressed closely upon it he said he did not mean to exclude such cases as were excluded under the previous clause of the Act. But, even allowing that exclusion, it would be seen that the question raised was evaded, because if cases were excluded which were to come under the jurisdiction of the Special Commission Court of Part I. of the Bill, that would exclude practically everything that it would be possible to put before a special jury, for that Special Commission Court dealt with all cases of treason, treason-felony, murder, manslaughter, attempts to kill, violence against the person, and attacks on dwelling-houses. He should like to ask the Committee, or any hon. Member who was inclined to take a fair view of the case, to say what crime could be brought before this Court other than those set out in the first part of the Bill? The right hon. and learned Gentleman further said that an appeal was possible to any individual who chose to claim his right to have his case tried as a special jury case; but on reading the remainder of Part I. it seemed to him that that course was impossible. It provided that whenever it appeared to the Lord Lieutenant that the case of any person committed for trial could not get a just and impartial consideration under the ordinary law, the Lord Lieutenant might by warrant direct the case to be tried without a jury. If the Lord Lieutenant could do that, it was absurd to pretend that the accused could use the right which the Attorney General for Ireland had said he could exercise in order to get a special jury. What the assurance of the Attorney General for Ireland amounted to was that the accused had a right to claim a special jury in every case, except where the Crown did not choose to give it. That was rather a wide order, and, knowing as he did how this Bill might be carried out, it was absurd to contend for a moment that this right would be given to an accused person when it remained with the Crown in any case they thought of sufficient consequence to direct that it should be tried under a special warrant without a jury. This clause effected an entire change in the legislative system which now prevailed in Ireland. Only a short time ago the jury system in Ireland was to a certain extent reformed by, he believed, the Act of a Member of the Party which now sought to alter the Grand Jury system again. Under Lord O'Hagan's Act the qualification of jurors was to a great extent brought within the limits of the sense of justice which prevailed as to the persons it was proper to call upon to try cases; but this Bill did away entirely with the old qualification, and imported a qualification of special jurors. Everybody knew what a special jury meant, and that cases tried by special juries would practically be tried by a jury, not of the peers of an accused person, but of the very persons who were actually exercising the Executive functions with regard to this Bill. The initiative in all cases which came under this Bill was with the Lord Lieutenant; but, as a matter of fact, it would really reside in the country gentlemen and magistrates, who would have to collect, with the aid of the police, evidence in support of the claims they made for exceptional powers being applied to the district over which they had control. To a great extent the special juries in Ireland were composed of these very magistrates. The qualification of special jurors was pretty high, and would bring in a class of men entirely without any accord with the national sentiments of the people, and, on the contrary, entirely opposed to those sentiments. Consequently, their verdicts would be felt to be of a partizan character. The Attorney General for Ireland seemed to think that the working of the Bill would be carried out, not only by a Special Commission, but by these special juries under this clause. The charge brought by the noble Lord the Member for Woodstock (Lord Randolph Churchill) was a legitimate one—namely, that this was a dark horse kept in the background to be slipped on the Committee when it had already decided the question of a Special Commission Court. The Attorney General for Ireland had made a very sweeping charge against the jury system in Ireland. He (Mr. Metge) did not pretend for a moment that the system was perfect, for he knew that juries did not convict in many cases where they might; but the reason of that was that the juries felt that the law, as it existed in Ireland, was not justice. Law and justice were two distinct and absolutely opposed things in Ireland. But, admitting that the juries sometimes did not carry out the law in the way they might be expected to, still, before the Attorney General for Ireland brought such a sweeping charge against the juries, and introduced into that charge the names of certain Judges as backing him up in his statements, he should have referred to some other statements made by Judges to quite the contrary effect. He had a strong recollection of some observations made at the Cork Assizes by Judge Barry, who, in charging the jury, said he had no possible complaint to make against the juries who had been called to decide cases brought before him. Judge Barry referred at the same time to charges made by Members of the Government, and by Liberal Members of the House, against the jury system as it at present existed, and he said most carefully that such a charge was unfounded, and that in a great majority of cases where evidence was brought before the juries they convicted. The argument all through this Coercion Bill was not that Irish juries could not be got to convict, but that evidence could not be obtained, and special juries would not deal with cases without evidence any more than ordinary juries. Special juries would, after all, be juries composed of gentlemen; and they, no more than the Judges of the Special Commission Court or juries under the old system, would condemn a man unless sufficient evidence was brought to establish the case against him. In this respect he thought the Government were altogether astray. They sought, by complicated and roundabout methods, to get at criminals whom they never could reach. The sympathy that existed to a certain extent in Ireland with crime would never, he believed, be overcome except by the extermination of the whole Irish people, unless the root of crime was struck at by sweeping away the system of landlordism—the system of class against class—and by sweeping away the system of Castle rule, which had caused a mesh of incongruities around the whole political system in Ireland. The men who constituted the leading authorities were men all more or less interested in supporting the present state of things; and consequently men could not but feel that, as long as that state of things remained, no system would strike at crime which did not strike through the people themselves. No one in that House had a stronger desire or would go further than he would to get crime suppressed; but crime in Ireland, much as he detested and deplored it, was the outcome of a state of warfare—a state of warfare between class and class—and that warfare would never be got at by indirect machinery such as that proposed by this clause. The argument of the Attorney General for Ireland might generally be taken as an argument against the jury system as a whole. He believed that that House, which had Liberal principles and Liberal doctrines, and which had been put in subjugation to the Caucus influence exercised by the Leaders of the Government, would be a long time before it agreed with the right hon. and learned Gentleman. The Attorney General for Ireland had expressed his surprise that cases connected with the rights of property were submitted to juries composed of higher class men, while cases of life and death were committed to common juries. He (Mr. Metge) thought that in cases of actual crime and murder the facts were more or less patent to everyone, and did not require strongly technical minds to discriminate between the niceties of the evidence on one side or the other, but simply fair, honest intelligence to decide whether or not such facts justified a verdict for or against the accused. That consideration was a strong reason for submitting cases of fact to a jury. He wished to point out to the Committee the anomalies which existed all through this Bill. It was certainly strange and unjust to say that the powers under this Bill were, first of all, to be conferred on a Judicature which was to be chosen by ballot; and, secondly, that cases were to be decided by a jury likewise to be chosen by ballot. If justice was reduced to a mere question of ballot, no Irishman could be expected to have any lofty idea of what the effects of an administration of that justice would be. Irishmen generally could not, as the law at present existed, have any very great respect for it; but they had respect for laws meaning justice, and no people in the world had a higher respect for law which gave justice between man and man; but law representing the outcome of a series of ballot boxes would not receive any very great respect from the Irish people. When the Government introduced this Bill they professed to desire to appease the feeling existing in the country; but in bringing forward this Special Jury Clause they did not show any sign of contrition for trying to impose upon the Committee, knowing that the large majority at their back would enable them to force their proposal upon the Irish Members. For three years to come Ireland would be without a vestige of Constitutional principles. The right of public meeting had been swept away, the right of expression of public opinion through the Press had been swept away, and now the Government came down and sought to destroy what was once considered the highest glory in the British Constitution —namely, the jury system.

Mr. BIGGAR said, it seemed to him that the object of the clause was to entirely supersede the earlier clause with regard to the Judges. In introducing the Bill the Government had not made any preliminary inquiries as to whether or not the Judges approved of the duty proposed to be placed upon them, for the Judges themselves protested against being put into the new position. The Government now introduced this clause which, in conjunction with the next clause, would, they hoped, effectually enable them to get convictions, whether with or without evidence. With regard to this question of special juries, the Attorney General for Ireland and the Solicitor General for Ireland, of course, made the best arguments they could in favour of the case which their clients put before them; but special juries in Ireland were composed of persons of such standing with regard to rates as the Sub-Sheriff chose to summon, so that, in point of fact, under this clause, there was a great appearance of fairness. But, in the first instance, the Sheriffs would select the safe and good men whom they knew, from their prejudices, would be in favour of convictions, and from these a jury would be selected by ballot. If the object of that process was avowedly to get convictions with or without evidence, as it seemed to be, there would be no great reason to complain or to object to this clause. In reality, juries would be selected by ballot who would be likely to convict. Even supposing the special juries were impartial, they would be selected from a high rate-paying class who were likely to have prejudices against men put on trial for criminal offences, and for that reason there would not be anything approaching to a fair chance of acquittal. The fault found with the jury system was that impartial juries could not be had. In this case the Government selected juries likely to convict, and then they asked the Committee to believe that this was a fair tribunal. During the early stages of the Bill some criticism was made upon the Irish Judges; but a considerable number of the Irish Party were strongly of opinion that they would prefer three Judges, as proposed, to the system which was recommended in this new clause — namely, that of packed juries. There was nothing the Irish people were more afraid of than packed juries, because those men had their responsibilities limited to such a degree that each thought that if he came to a different decision from the others he would be held very much in fault. Weak men would be led by the will of the majority, and although they might hold a different opinion from their colleagues they would not have the moral courage to insist upon what they considered justice. For these reasons the Irish Members would prefer to have nothing to do with this clause, but to depend upon the justice which would be administered by three Judges instead of by special juries.

MR. T. C. THOMPSON pointed out that if all cases were tried at Assizes by special juries there would arise an inconvenient opposition between cases committed to Assizes and those committed to Quarter Sessions. The Quarter Sessions had a very large jurisdiction, and it would be very inconvenient if magistrates, thinking they could get convictions better at Assizes than at Quarter Sessions, should send to the Assizes prisoners who, in the ordinary course, would be tried at Quarter Sessions. If the Government would consider that point and pay some regard to the views of the Irish gentlemen and noblemen who sat on the Irish juries and had reported that instead of juries being entirely special juries it would be well to mix them, they would get rid of this difficulty.

Question put, "That the Clause be read a second time."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated, he thought the Ayes had it, and, his decision being challenged, he directed the Noes to stand up in their places, and Seven Members only having stood up, the Chairman declared the Ayes had it.

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, he thought it convenient to announce, before the doors were opened, that it was at the option of the Chairman to require Members to rise in their places either at the first putting of the Question, or after the hour-glass. Hitherto he had required the hour-glass to be turned, but in future he would exercise the option.

Question, "That the Clause be added to the Bill," put, and *agreed to.*

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) moved a new clause with regard to the penalty for non-attendance of special jurors. He explained that at present under the Act of 1876, jurors who failed to attend when their names were called at the opening of the Criminal Commission, were fined 40*s*. There were, however, numbers of people who would rather pay this amount than serve on the jury, and the object of his proposal was to substitute for 40*s*., the sum of £20, in order to reach the rich as well as the poor in regard to the duties of jurors.

New Clause :—

(Penalty for non-attendance of special jurors.)

"The words 'twenty pound' shall be substituted for the words 'forty shillings' in section four of 'The Juries Procedure Ireland Act, 1876,' in the case of special jurors."—(*Mr. Attorney General for Ireland.*)

Motion made, and Question proposed, "That the Clause be read a second time."

MR. R. POWER said, he thought the right hon. and learned Gentleman had given no sufficient reason for the change in the law which he proposed by this clause. As he understood it, the clause proposed to force into the jury-box a certain number of gentlemen who had a great disinclination to serve; but he would ask the right hon. and learned Gentleman to consider, if he succeeded in that object, what would be the feelings of the jurors who went into the box simply because they knew that if they did not they would have to pay £20. Of course, by an Act of Parliament, a great many extraordinary things might be done; but by Act of Parliament a man could never be forced to do his duty. If a man, in the first instance, was not prepared to do the duty which the State imposed upon him, it would be utterly impossible by such a clause as this to force him to do it by imposing the alternative of a fine of £20. By this and previous provisions of the Act the people of Ireland had been coerced, and now it was proposed, without the slightest reason, to coerce the particular men who were to try accused persons. The only argument he could find in the speech of the right hon. and learned Gentleman the Attorney General for Ireland for this proposal was that certain difficulty was found in bringing jurymen into the box to try cases; but under this Bill that difficulty no longer existed, because every man must admit that there could be no very great objection to go into a jury-box, inasmuch as there would be no evidence put before him. That was the fatal mistake the Government had made in this provision. Tribunals might be established, but evidence could not be brought forward. No man in the House regretted more than he did that stubborn fact; but it could not be got rid of by a clause of this kind. Jurymen might be forced into the box, but they could not be made to convict; and why the right hon. and learned Gentleman should have raised the penalty from 40*s.* to £20 was beyond his conception.

Mr. LABOUCHERE said, he thought he should have to stand up against the clause, as that was the only resource the Government had left to them. He believed, however, its effect, taken in connection with the Irish Act, would be to oblige Judges to impose the penalty—the very serious penalty—of £20 in every case. He would suggest that the penalty should be left to the discretion of the Judge, who might wish to increase it, but who might also wish to inflict a smaller one.

Mr. METGE said, it seemed to him that the Committee were being coerced into passing a series of Amendments which would repeal the existing law. This was a proposal of considerable importance; but the right hon. and learned Gentleman had not thought it necessary to give any reason for the proposal. He certainly had said that the object was to force the rich to take their part in the duties of jurymen in conjunction with their poorer neighbours. He himself should only be too glad to see the rich take their full share; but even if that was an argument, the clause, as it now stood, would have quite the contrary effect, because, while £20 was a matter of trifling consideration to the rich when their lives and property might be endangered by their serving on a jury, the risk of a penalty of that amount would be a grave consideration to the poor man. Therefore, instead of forcing the rich to take their part in serving on juries, this clause would only force into the box the poor man, who would be afraid to sustain such a heavy fine. If that was the only reason the Attorney General for Ireland had in favour of this clause, it was not sufficient to make the Committee lie down in humble submission and grovel in the dust before the Treasury Bench, and to introduce into the Irish jury system an entirely new element, and thereby, to a great extent, repeal the existing law.

Sir WILLIAM HARCOURT said, although as a rule he agreed with the hon. Member for Northampton (Mr. Labouchere), he could not concur with him in his present suggestion. The hon. Gentleman the Member for Meath (Mr. Metge) was wrong in thinking that in principle this clause was different from the existing law. The Jury Act in Ireland fixed a maximum fine of 40*s.* which the Judge could not reduce, and in that respect it was different to the Jury Law in England; but it must be remembered that this professed to be only a provisional Bill, and there was a different state of things in Ireland to that in England. It was not an agreeable thing to be a juryman in Ireland, for everyone knew that men who had to discharge that duty did so, not only at inconvenience, but at great peril to himself, and if the fine was to be reduced, especially in regard to people who were to form the special juries, there must be a high minimum. It was not, however, as the hon. Member opposite seemed to suppose, that there would be a fine of £20 on a man of moderate means, and only the same amount on a man of greater means, because, if the Judge was of opinion that the man of large means was unduly absent, this fine of £20 was not a maximum. The Judge might impose a fine of £100 or £500 on the rich man who declined to do his duty. It only applied the principle of a minimum in view of the special circumstances in regard to juries in Ireland. He thought this clause was necessary and entitled to acceptance.

Mr. CALLAN regarded the argument of the Home Secretary as a very peculiar one. The right hon. and learned Gentleman stated that the clause would be limited as against the poor man, but not as against the rich man. He thought, however, that the Home Secretary had not read the Act which this clause proposed to amend. In fact, the only excuse for the speech of the right hon. and learned Gentleman was an utter ignorance of the practice laid down in the Act. According to the present practice, all jurors failing to answer to the calling over of the panel were marked down by the Sheriff as not having attended, and could be ordered to pay a fine of 40*s.*, or such other larger sum as the Court, under the circumstances, thought fit, even if there was no business for the jury to perform. Now, if there were an important trial, and notice were given that a larger attendance of jurors was required, had not the Judge full power to inflict a larger penalty up to £20? But in the clause of the Attorney General for Ireland, the Judge in Ireland would be deprived of all discretion. There was no option left with him, in a case where a juror did not answer, even though there might be no business in Court requiring his attendance, the Judge would be obliged to impose a fine of £20. They in Ireland had been recently progressing from a bad Government to a worse Government, and from that to a worst of all Government. A Select Committee having sat to consider the Act of 1871—called Lord O'Hagan's Act—in 1876, a Conservative Government passed a measure amending the procedure, and giving the Judge a discretionary power up to 40*s*., but limiting the extent of his power to fine jurors to that sum. What, however, did the present beneficent Government do? It did what the Conservative Government refused to do; it took away from the Judge all discretion in the matter, it did not allow him to excuse even a juror who might be ill, but compelled him to impose a fine. Many of the farmers in Ulster who were special jurors were not only poor, but ignorant. The constituents of the hon. and learned Solicitor General for Ireland, who so readily swallowed the bait "Improvement of the Land Act," would be, if they failed to attend when called upon to act as jurors, each fined £20. Was there a Judge in Ireland who, if he saw an opportunity of imposing a larger fine than that at present allowed, would hesitate to impose it to compel the attendance of jurors?

MR. BIGGAR said, he did not see why the Government made this alteration—there was not the slightest reason for it. In his opinion, the law, as it stood, gave authority to the Judge to impose as heavy a fine as was desirable for the non-attendance of a juryman. So far as he (Mr. Biggar) had seen, the custom was, when the names were called over, for the Judge to order a small fine, say of £5, to be inflicted in the case of a juror who did not answer; and if that was not sufficient to induce attendance, then to order a larger fine, and so on, until the juror was forced to put in an appearance. What was now proposed by the Government was to do away with the option of the Judge, and to render it imperative that in all cases a fine should be imposed. He (Mr. Biggar) did not see the advantage of the alteration. The Home Secretary had told them, or at least had suggested to them, that there should be a large fine inflicted upon a juror who was wealthy, and a small one upon a juror who was poor; but how was a Judge, sitting on the Bench, to form an opinion as to the means of a juror, who would certainly not be a person of his acquaintance? All the information the Judge would have would come from the Clerk of the Peace, who would call over the jury panel. It seemed to him (Mr. Biggar) that this clause was not worth the trouble of passing it. He could corroborate the statement of the hon. Member for Louth (Mr. Callan) with regard to the position in life of some of the special jurors. He had heard of a case in County Antrim where a person, who was a special juror and also a grand juror, first performed his duties as a grand juror, and then took part in the business of the Assizes as a special juror, for the purpose of receiving the fee of a guinea. There could be no doubt about this having happened, for it appeared in the records of the Assizes. The difference between a 40*s*. fine and a £20 fine was very substantial. The Amendment would do no practical good, and might impose some hardship and injustice on some persons.

Question put, "That the Clause be read a second time."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated he thought the Ayes had it, and, his decision being challenged, he directed the Noes to stand up in their places, and Four Members only having stood up, the Chairman declared the Ayes had it.

MR. STOREY said, he wished to point out that it was very unfair—he did not mean this in any personal sense—for the Chairman to call on Members to rise in their places, without having first rung the bell.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I have already explained to the Committee that, according to the Rule, the Chairman has an option in the matter. The hon. Member is now questioning the fairness of the Rule, and, in doing so—in discussing the Rule—he is quite out of Order.

Mr. METGE said, on the point of Order he wished to know whether there were any means by which they could give notice to their Friends outside of what was taking place?

The DEPUTY CHAIRMAN (Mr. Courtney): I have already explained that the Rule gives an option to the Chairman as to whether or not the bell shall be rung, so that the time of the Committee may be saved.

Mr. STOREY said, the Chairman gave an opportunity to the Government to bring in Members from outside by ringing the bell on ordinary occasions, and he (Mr. Storey) thought the same opportunity should be given to other Members.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he had to move the second reading of a new clause, which was technically called "Venue," and which, as that title implied, was to enable the venue to be changed in the case of persons awaiting their trial for indictable offences under the Act. The practice of changing the venue was one familiar to every person acquainted with the law as having been in use from the earliest times. He did not think it was necessary for him to detain the Committee further than to point out that the clause contained provisions in favour of the accused which, so far as his experience or reading went, had never been contained in any similar Act. The object, of course, of enabling the place of trial to be changed was to take care that a fair trial should be had in a case where popular feeling in the neighbourhood of the crime was strongly either against or in favour of the accused, and it was not likely that an honest verdict would be returned by a jury taken from the locality. The trial in the place to which the venue was changed would take place under exactly the same conditions as it would if it had occurred in the district where there was a bias for or against the prisoner. The clause provided that the expenses of the accused going to the place of trial should be defrayed by the Government of the day, and also that where the accused was not in funds, and, therefore, was unable to take his witnesses to the place of trial, provision should be made for the Crown Solicitor, under the Attorney General for Ireland, to supply the necessary amount. The sub-section to which he referred said—

"Where an order of the High Court is made under this Act directing a change of venue, the prescribed Crown Solicitor, or other prescribed officer under the direction of the Attorney General, shall provide, where necessary, for advancing money for enabling the person to be tried, and the witnesses required for the defence of such person to attend the trial."

So that, for all purposes, the trial would take place in the altered place of trial under conditions similar to those which would obtain if the trial took place in the original place.

New Clause—

(Venue.)

"(1.) The Attorney General, on making application to the High Court of Justice, and certifying that in his opinion it is expedient, in the interests of justice, that a person awaiting his trial for an indictable offence should be tried in some county named in the certificate other than the county in which he would otherwise be tried, shall be entitled as of right to an order directing such person to be tried in the county named in the certificate; and, if such order is made before any indictment or inquisition has been found, the said offence may be inquired of in the county named in the order in like manner in all respects as if it had been committed in that county; and, if the order is made after an indictment or inquisition has been found, the indictment or inquisition shall be transmitted to the court of assize for the county named in the order, and have effect as if it had originally been duly found at or returned to that court; and, in either case, the offence may be heard and determined, and the person charged with the said offence may be convicted and sentenced as if the offence had been committed in the county named in the order, but the sentence of the court shall be carried into effect as if such person had been tried in the county in which he would have been tried if the said order had not been made, and such person shall, if necessary, be removed accordingly, in pursuance of an order of the court made for the purpose.

(2.) The Lord Lieutenant shall from time to time provide for the payment, if an order is made under this section respecting the trial of any person, of the reasonable expenses of such person coming to the place at which, in pursuance of such order, he is to be tried in any case where he was admitted to bail, and also of the witnesses required for the defence of such person, and certified by the court before whom he is tried to be so required.

(3.) Where an order of the High Court is made under this Act directing a change of venue, the prescribed Crown Solicitor or other prescribed officer under the direction of the Attorney General shall provide, where necessary, for advancing money for enabling the person to be tried and the witnesses required for the defence of such person to attend the trial.

(4.) For the purposes of this section the expression 'awaiting his trial' means committed for trial or charged with any indictable offence by indictment or inquisition; and 'court of assize' includes any court of oyer and terminer or gaol delivery."—(*Mr. Attorney General for Ireland.*)

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. R. POWER said, the right hon. and learned Gentleman stated that the prisoner's expenses would be paid—it might be to Van Dieman's Land. To his (Mr. Power's) mind it was absurd to tell a prisoner, because they wanted to try him in the North of Ireland, that his expenses were to be paid. If a prisoner from the South of Ireland had his own choice he would much rather be tried in his own locality than in the North, because in the former place he would be known and there would be no improper prejudice against him. The Attorney General for Ireland was to have the power of changing the venue. Well, take the case of the present Attorney General for Ireland. The right hon. and learned Gentleman was in the House of Commons to-night, and, supposing there was a trial to-morrow, say, in County Waterford, how on earth was he to know that Galway would be a better place to try it in than Waterford? Of course, the right hon. and learned Gentleman would have to depend upon information supplied to him by the Crown Solicitor, or the County Inspector, or the Resident Magistrate. The principle of relying upon others for information was one which went right through this Bill. County Waterford might be a very bad place or a very good place to try a certain case, but he (Mr. R. Power) objected to all the power of the law being thrown on the side of the Government in the matter; and there was another objection to this clause—namely, the expense that it would incur. There must be great expense in bringing a prisoner from one part of Ireland to another. And not only had they to bring a prisoner from one part of Ireland to another, but they would also have to remove all the witnesses. If a man from the South was going to be tried in the North of Ireland, that man would ask for as many witnesses as he could possibly get, and he would be able to get their expenses paid all over the country. It was not stated at all in the Bill out of what fund these expenses would be paid. In the 24th clause it was stated that the money would be paid out of a sum to be provided by Parliament; but Parliament had not told them where the money was to come from, and it was very likely that they would find presently that it would come from some unfortunate pauperized Irishmen. As to what would be the operation of this clause, let them take the case of a Catholic in the South of Ireland. Supposing a man there was reasonably suspected, say of treason or treason-felony, was it fair that they should bring such a person up to the North to be tried in a district where party feeling ran very high, and where he (Mr. Power) regretted to say there was a great deal of wretched religious discord? On the other hand, would it be fair that they should bring a man from the North of Ireland down to the South, where also, he regretted to say, there was not that amount of liberty of religious opinion that there ought to be? Let them take the case of a poor tenant in Mayo. If they brought him into a district where there were a great many landlords and people of a class opposed to him, he would be hardly likely to get a fair trial. In cases where the venue was changed the Attorney General for Ireland would, of course, take very good care to change it to a district where the prisoner would stand a very good chance of being convicted—and justly so, in all probability, because the Attorney General for Ireland would hardly put a man upon his trial unless he was convinced he was guilty. Then, the clause would work great hardship in peaceful districts. They would bring prisoners from disturbed localities into quiet, peaceful places. Men belonging to districts where there was no crime would be appointed on juries, and would have to devote a great deal of their time, and probably thereby sacrifice a large amount of money, to the trying of prisoners. What would be the effect of that kind of thing? Why, the effect would be simply to exasperate the people. He knew it was of very little use to appeal to justice in cases of this sort. He had long ago lost hope or expectation of getting anything from the English Government, but he still felt bound to enter his protest against this proposed new clause. He believed it would be worked in a most dangerous and injurious manner, and he thought that in a year's time there would be proof before the Government that he (Mr. Power) and his Friends were perfectly right in the opposition they were now offering.

Mr. METGE said, the right hon. and learned Gentleman the Attorney General for Ireland, when he rose to make the best case he could on behalf of this extraordinary clause, dwelt, with a considerable amount of tact, on the great advantage the provision would be likely to bestow upon the mock justice that was to be established in Ireland. The right hon. and learned Gentleman had spoken of the great advantage prisoners would derive from having their railway, hotel, and other expenses paid when they were, so to speak, dragged about the country according to the right hon. and learned Gentleman's discretion. But, notwithstanding the so-called advantages, if the Committee thought it worth while to look into the Bill, they would see that the right hon. and learned Gentleman the Attorney General for Ireland would have absolute power, in his discretion, of altering the venue of trials from one part of Ireland to another. The extent of that power could not be exaggerated. Under the law as it at present existed, the Attorney General for Ireland could not change the venue of a case from one county to another without having previously applied to the Court of Queen's Bench for permission. At any rate, the right hon. and learned Gentleman would have to apply to one of the highest Courts of the land, and, no doubt, in such a case the Bench exercised a certain discretion in the matter; but, under the clause, the necessity of applying to a Court was done away with. The clause certainly said something about application being made to a Court of Justice; but it seemed to him (Mr. Metge) that that would be little less than making a Court the register of the will of the Attorney General for Ireland. The clause said that—

> "The Attorney General, on making application to the High Court of Justice, and certifying that in his opinion it is expedient in the interests of justice that a person awaiting his trial for an indictable offence should be tried in some county named in the certificate other than the county in which he would otherwise be tried, shall be entitled as of right to an order directing such person to be tried in the county named in the certificate."

It would be seen, therefore, that application to the High Court of Justice was little better than a mere form. Discretion and power of sifting evidence would remain with the Attorney General, and the High Court of Justice would have very little voice in the matter, and very little time to go into considerations of that sort. The hardship of this clause had been dwelt on by the hon. Member for Waterford (Mr. R. Power); but in spite of what the hon. Member said, he (Mr. Metge) thought that Englishmen could have very little idea of the kind of hardship that might arise under such a law in Ireland. In Ireland, North and South, East and West, were unfortunately divided by strong religious convictions. These convictions had a strong political bias. The people were fanatically tenacious of the opinions in which they had been educated and brought up; and while, on the one hand, the Attorney General for Ireland informed them that the object of the clause was to obtain fair trial, he (Mr. Metge) and his Friends, on the other hand, believed that a fair trial by this means would be utterly impossible. The provision meant simply that a criminal might be brought from a county where, perhaps, he was known, and where in all probability he had some character, and where he might, therefore, look for some amount of justice, to a place where he was unknown, where his character was suspected, and where he would be tried by a class of jurymen opposed to him religiously, politically, socially, and in every sympathy and sentiment and educational habit of their lives. Take, for instance, the case of a National Catholic in Ireland. He did not suppose that in the view of hon. Gentlemen below the Gangway opposite to be a Catholic and a Nationalist was a sin; but still a man to whom that description would apply, who was arrested for a crime of which he was entirely innocent, if he were taken before a jury of rampant Ulster Protestants, would stand a very poor chance. He (Mr. Metge) did not want to say a word on one side or the other as to the religious bias that would be set to work by this clause. He thought it was a terrible pity that such a state of things should exist in Ireland; but they must take the facts as they were. How could anyone for a moment suppose that in such a case as that he had described the trial would be a fair one? He did not suppose that on one side or the other there would be a deliberate attempt to do an injustice; but human nature was human nature, and what was considered criminal by one class of men would be an absolute religion to another class. In the South, Nationalism was the highest aspiration of the people; but in the North, amongst the Protestant Loyalists, it would be a thing most criminal, and no matter how trivial a political offence might be, if a Southern Catholic were taken to the North the religious or political element was bound to act, to a certain extent, against him, and to a certain extent to influence the decision of a jury. If it were not to take advantage of that state of feeling, he could not for the life of him see why this clause was introduced. It seemed to him that the principle of changing the venue was a most dangerous one, and he would point out to the Members of the Liberal Party that there was something that lay very near the surface in this matter, and it was this—that if the clause were allowed to pass as it at present stood, it would leave the liberties of every man who would be tried under the provisions of the Act absolutely at the discretion of the Attorney General for Ireland. He (Mr. Metge), for one, for the reasons he had attempted to explain, felt himself justified in opposing the clause to the utmost of his ability. He believed that trial under this Bill would be altogether a sham and a farce; but, sham and farce as it might be, he contended there was no provision of it which more directly struck at the faint scintilla of justice that still might influence the juries than the fact that the Attorney General for Ireland was empowered to call into operation the political as well as the religious instincts of the people in order to obtain convictions; and he believed that it would perpetuate and increase that animosity and violence of feeling which had for so long a time existed and divided different classes in Ireland one from another. In this House and in England it was considered an unmitigated evil that such differences and distinctions of religion should exist in Ireland; but in that country for centuries class had been deliberately set against class. One religion had been put against another—it had been attempted to hunt one down or drive it off the surface of the land, while the other had been pampered and cultivated throughout the country. The religion of the poor had had to pay for the religion of the rich—the rich were left in quiet enjoyment of their religion, whilst the poor had often been driven for their religious worship into the bogs and fastnesses of the country; and, although these things had occurred some time ago, their effect was still felt throughout the Island. Undoubtedly this clause would again raise all the old bitter hostile feelings. They would again see persons brought to trial from the South and South - West and East to the North. If it were simply a case of wishing to bring home the guilt to criminals, he would not for a moment oppose the clause; but believing, as he did, and backed up in that belief as he was by the deliberate Judgments and well-considered Charges of Judges within the last two years, he maintained that it was absolutely hopeless that fair and righteous verdicts would be given under this provision; therefore, he contended that the provision was altogether unnecessary. As he had said, the clause would really have a worse effect on the general feeling in Ireland than any other part of the Bill. It would bring into direct collision the people of the North and the people of the South, putting, as it did, unlimited power in the hands of the Attorney General for Ireland to say where a prisoner should be tried and by whom he should be tried. He contended that it was a clause that every liberal-minded man who had the slightest desire to uphold the principles of justice should do his utmost to defeat.

MR. BIGGAR said, with regard to this particular clause the right hon. and learned Gentleman the Attorney General for Ireland had commenced his speech by telling the Committee that it was not required at all. As he (Mr. Biggar) understood it, the right hon. and learned Gentleman had told them that the matter of changing the venue in criminal cases was no new principle, but that it had always been in operation. Why, therefore, had the clause been introduced? The right hon. and learned Gentleman had gone on to tell them that some of the provisions of the clause would be exceedingly beneficial to prisoners. Well, he (Mr. Biggar) confessed that some of the provisions would be, at any rate, fair to prisoners. But it was proposed that a prisoner should be taken from the place where he was known and where the alleged offence had been committed, at very great inconvenience to himself and to his witnesses, to some other district where he was not known; although the Government would, as the Attorney General for Ireland had proposed, pay the inevitable expenses of the prisoner and his witnesses. No doubt, so far as the expenses were concerned, the Government had very fairly carried out their pledge; but, at the same time, he did not think the right hon. and learned Gentleman the Attorney General for Ireland could take any very special credit for the proposal, because they must not forget that the prisoner would not reap any benefit whatever from the change of venue. All he would get would be simply the costs out of pocket. The right hon. and learned Gentleman had gone on to say that the object of this clause was to obtain a fair trial. He had said that if a prejudice was strong against a prisoner in any particular place, or if there was likely to be a very strong prejudice in his favour, the Crown would apply to have the venue changed. But he (Mr. Biggar) very much feared that in cases where it was found that there was a very strong feeling against the prisoner in a particular district the Crown would not take the trouble to carry the case into another locality, but would let that prejudice against the unfortunate accused have its effect. But if the crime took place in a district where the prisoner was likely to have some friends, the Government would be very likely to apply for a change of venue. The Solicitor General for Ireland would corroborate him when he said in a political and Party case a fair trial could not be had if the venue was changed from the South, say, to County Antrim. He (Mr. Biggar) himself would not be able to get a fair trial at the hands of a County Antrim jury in the borough of Belfast. He had had the pleasure of experience, and the Solicitor General for Ireland knew very well that what he said on that point was perfectly true. This was a clause which would operate injuriously upon prisoners who had no one to speak on their behalf, and whose cases would probably be set down amongst a mass of similar ones in which the grossest injustice would be done. He certainly thought the Government should not press on a clause of this sort, because it could not possibly have any honest object in view; and its only purpose could be to get convictions where the Government knew that convictions could not be obtained from fair and impartial juries.

Mr. CALLAN said, the right hon. and learned Gentleman the Attorney General for Ireland had said this clause related to what was "technically" called venue. Well, it was both technically and practically, and in every way, venue; therefore, it was not, as the right hon. and learned Gentleman had said, a technical matter. The right hon. and learned Gentleman had given them some historical information, and had stated that from the earliest time the practice of changing the venue had been part of the Criminal Law. No doubt, it had been part of the law of Ireland for a considerable time; but the right hon. and learned Gentleman the Attorney General for Ireland had not informed the Committee that this was the first time it had been attempted to make a Court of Justice the mere register of the will of the Law Officer of the Crown. The Irish Members had had a similar complaint to make in regard to the position of those gentlemen who were called —he did not know on what principle— Resident Magistrates. It had been objected that these gentlemen directed prosecutions and then sat in judgment; but, under this clause, that process would be reversed, and the Attorney General for Ireland would first sit in judgment and then become the prosecutor. The right hon. and learned Gentleman would first certify that, in his opinion, it was expedient in the interests of justice that a person awaiting his trial for an indictable offence should be tried in some other county than that in which he would otherwise be tried, and the venue would accordingly be changed; whereas, hitherto, the Attorney General for Ireland had been obliged to make an application to the Court of Queen's Bench, and to obtain the permission of that Court before the venue could be changed. Under the existing law the Court of Queen's Bench could appoint the district in which the trial should take place, and could fix any other conditions they might think fit; but, under the present clause, the Court would have nothing to do but register the decision of the Attorney General for Ireland, who would direct the prosecution, and select what witnesses were to be brought forward, and what were to be kept back.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I do not do that.

MR. CALLAN said, the right hon. and learned Gentleman might not do it personally; but, at any rate, he would do it by his subordinates. After informations had been taken, they could be kept back or produced just as the Attorney General for Ireland thought fit. It would be for the right hon. and learned Gentleman to say what offence a man was to be charged with, and what offence it was the witnesses were to bear testimony to; and now they gave the right hon. and learned Gentleman the option, if he chose to exercise it, of sending the trial of a Party case from the South to Londonderry or Antrim, or any of those places which had never been known to return a verdict of acquittal in favour of a Catholic. ["No, no!"] Yes, that was the case; these counties were remarkable for convicting Catholics; and it was well known that they were the best places in which the authorities could conduct prosecutions against Catholics and Nationalists. He (Mr. Callan) should have no objection to accepting the clause if discretion were given to the High Court of Justice to refuse the application of the Attorney General for Ireland for a change of venue in cases where they thought his application was not justified by the circumstances; but if there was to be nothing for them to do but register the behests of the Attorney General for Ireland he should oppose the provision. The present Attorney General for Ireland might exercise the powers of the clause in a just and equitable spirit; but the tenure of Office of Attorney Generals was sometimes very short. An Attorney General might be elevated to the Bench, or, at another Election, might retire into private life, and another Attorney General would be appointed to fill his place. They had had for Attorney Generals such men as the present Chief Justice of the Queen's Bench in Ireland, who had referred to the "Roman Cement" joining together the Catholic and the Liberal Party—he referred to Chief Justice May, a gentleman who, on another occasion, had the decency to retire from a case in which, before the trial came on, he had given evidence of partiality. Would it be right to have a Catholic politician or a Liberal sent from the South of Ireland to be tried by the denizens of Sandy Row in Belfast, or the free and independent burgesses of Carrickfergus?

MR. T. C. THOMPSON said, that under Clause 27 there seemed to him to be sufficient power to do what was required without bringing in this provision for changing the venue. Supposing an offence was committed in England, and that the criminal was over in Ireland, he could be brought before one of the Courts in Ireland, which Court could take cognizance of his offence, as it would have been committed within the jurisdiction of that Court. He did not know that any other clause ought to be introduced to extend the power.

Question put, "That the Clause be read a second time."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated he thought the Ayes had it, and, his decision being challenged, he directed the Noes to stand up in their places, and One Member only having stood up, the Chairman declared the Ayes had it.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he wished to move the next Amendment standing in his name.

New Clause—

(Rules for procedure and matters to be prescribed.—Sec. 39 and 40 Vic. c. 57, s. 2; 40 and 41 Vic. c. 57, s. 63.)

"The Lord Lieutenant may, from time to time, by and with the advice of the Privy Council make, and when made revoke, add to, and alter rules in relation to the following matters:—

(1.) For adapting the procedure on and preliminary to the trial of criminal cases, including the forms of indictment and other matters, to a special commission court under this Act; and

(2.) In relation to the procedure on appeals from a special commission court under this Act, and in relation to the sittings of the Court of Criminal Appeal under this Act; and

(3.) In the case of a trial before a special commission court, in relation to the sitting of such court in any place, and to the nomination of officers of such court; and

(4.) In the case of a trial before a special commission court, or the case where a special jury is required or where the venue is changed in relation to the attendance, authority, and duty of sheriffs, coroners, justices, gaolers, constables, officers, ministers, and persons, the removal and custody of prisoners, the alteration of any writs, precepts, inquisitions, indictments, recognizances, proceedings, and documents, the transmission of inquisitions, indictments, recognizances, and documents, and the expenses of prosecutors and witnesses, and the carrying of sentences into effect; also, in the case where a special jury is required, the number of jurors to be returned on any panel; and

(5.) In relation to forms for the purposes of this Act, and to any matter by this Act directed to be prescribed; and

(6.) In relation to any matters which appear to the Lord Lieutenant, by and with the advice aforesaid, to be necessary for carrying into effect the provisions of this Act; and any rules made in pursuance of this Act shall be of the same validity as if they were contained in this Act." —(*Mr. Attorney General for Ireland.*)

Mr. BIGGAR said, on a point of Order he wished to point out that the Chairman had not put the Question in the case of the last clause, "That this Clause be added to the Bill."

The DEPUTY CHAIRMAN (Mr. Courtney): The Question is, "That this Clause be added to the Bill."

Mr. CALLAN said, he thought it right, out of respect to the High Court of Justice, that the clause should be amended by striking out certain of its words; he thought they should leave out that part of it that made it necessary to make application to the High Court of Justice at all. It did not appear to him respectful that they should make the High Court of Justice a mere register for the proceedings of the Attorney General for Ireland.

The DEPUTY CHAIRMAN (Mr. Courtney): When the hon. Member for Cavan (Mr. Biggar) called my attention to the fact that this clause had not been added to the Bill, I got up and acknowledged my error, and put the Question; it is not, therefore, now in Order for the hon. Member to propose an Amendment.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) then moved his clause. He said there was no objection to it, and it was simply to carry out the objects of the Bill.

Clause read a second time, and *added* to the Bill.

Sir WILLIAM HARCOURT said, it would be in the recollection of the Committee that about a fortnight ago it was alleged that it might be supposed that trades unions would be affected by this measure. He had replied, and, he thought, accurately, that trades unions would not be affected; but he had promised, in order to make the matter perfectly clear, that he would put in a safeguard. He therefore proposed the following new clause, after Clause 26:—

New Clause—

(Saving for trade unions.)

"No agreement or combination which, under the Trade Union Acts 1871 and 1876, or 'The Conspiracy and Protection of Property Act, 1875,' is legal, shall be deemed to be an offence against this Act."—(*Sir William Harcourt.*)

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. METGE said, they saw in this Amendment the powerful influence the opinion of the English people had upon the action of the Government, and, by comparison, they saw that no moral demonstration, however great, on the part of the Irish people, had any effect whatever upon them. The only objection he (Mr. Metge) had to the Amendment was that it drew too fine a distinction. It said—

"No agreement or combination which, under the Trade Union Acts 1871 and 1876, or 'The Conspiracy and Protection of Property Act, 1875,' is legal, shall be deemed to be an offence against this Act."

On the face of it the proposal seemed to cover a large area of trades unionism in general; but the Irish Members knew very well that trades unionism had very little life in Ireland at all. Trades unionism, in the old meaning, was unknown in Ireland—they had none of those disgraceful ebullitions of popular feeling which had disgraced almost every town in England, North, South, East, and West—they had none of those rattenings with which the manufacturing towns of England were familiar. However, under the influence of the Liberal Government, latterly a system had cropped up which every honest man must deplore. The system of "Boycotting" was one for which the Irish Members were not responsible, either morally or in any other way. He considered it to be a power too great to put in the hands of an uneducated people; but now that a clause was proposed to exclude trade unions from the operation of the Bill, he should not be doing his duty were he not to point out that there was a system in Ireland which should come under the head of trades unionism, which would be under the force or penalties of this Act. He objected to any distinction being drawn between one form of "Boycotting" and another. No doubt there had been some extreme cases of "Boycotting" in Ireland; but an enraged people had seized upon "Boycotting," or exclusive dealing, as the only weapon they could use in the unequal fight with the forces that were brought against them to drive them out of the country. He did not agree with "Boycotting"—he would much rather see men rise with the weapons of war in their hands, and fight their fight in a fair and open way, whatever little chance of success there might be either one way or the other. He did not like an underhand system of warfare; but he objected to see the line drawn as the Government proposed to draw it by this clause. The clause was simply a submission to popular feeling in England. It was a proposal made in consequence of the knowledge the Government had that if trades unionism was brought within the scope of this Bill the trades unionists would rise up as one man directly they thought the measure was likely to be put in the way of any other privileges. The Government knew; they had been told over and over again, they had been told that when they used this Bill for its vilest and most objectionable purposes, if it affected the people of England, a scream would be raised against them that nothing would be able to quell. The Government, in a cowardly and mean manner, had put this clause in the Bill——

MR. MORGAN LLOYD rose to Order. He did not know whether the Chairman had heard the observation that had fallen from the hon. Member; and, therefore, he would inform him that he (Mr. Metge) had stated that the Government had acted in a cowardly manner, and had used other expressions of that description.

COLONEL NOLAN said, he believed the expression was perfectly Parliamentary—to tell a Government that their political position was a cowardly one. The hon. Member for Meath had not for a moment intended to convey any personal reflection upon the character of any Member of the Government; he had simply applied it to the general policy of the Government. He (Colonel Nolan) did not say that he agreed with the hon. Member; but still the expression was one which was sometimes used.

SIR WILLIAM HARCOURT said, he did not suppose that the Government would wish it to be supposed that they objected to the expression from such a quarter.

MR. METGE said, that if the hon. and learned Gentleman (Mr. Morgan Lloyd) had waited for a moment he would have seen what he (Mr. Metge) meant by the expression he was using. However, he (Mr. Metge) was willing to withdraw the expression, particularly as he had not meant it in a personal sense. Feeling as he did that the Government by their general action had falsified the words that they had uttered over and over again in that House, he thought he was justified in saying, when they brought in a clause of this kind for the purpose of excluding trade unionism, which they knew was a mythical system in Ireland, and which they only proposed in deference to public opinion in England, he was bound to offer the clause his strongest opposition. The system of trades unionism had raised the employed on a level with the employer, and had enabled the hard-working and hard-earning labouring man to meet his employer on equal terms; and in excluding such an organization as that from the Bill they got rid of the objections that the Irish Members would be able to raise against this measure in the towns of England where trades unions had great influence. For these reasons he maintained that, to say the least of it, the action of the Government was underhand. They were trying to cut away the ground from under the feet of the Irish Members with respect to popular feeling in England as to their Irish policy. By inserting this clause they took away the only means the Irish Members would have of drawing attention to the injustice which was inflicted upon the Irish people, because under the Bill they would have an absolute censorship over the Irish Press. The Irish Members would not be able to draw a distinction between the state of things that was allowed to exist under English law and that which was allowed to exist under Irish law. No man opposed more than he did the extremes to which "Boycotting" had been brought in Ireland; but he saw the Irish people driven to the ground, and with only one weapon to defend themselves. He had never supported the use of that weapon, morally or otherwise; but, at the same time, he had never raised his voice against it, because he believed that that, and that alone, had enabled them to keep a hold on the land.

Mr. R. POWER said, by this clause it was intended to extend the Trades Union Acts to Ireland. Save in Belfast and Dublin there were, at the present moment, no trades unions in Ireland; but when by this Bill "Boycotting" was to be put down, the wisdom of trades unionism would very naturally occur to the minds of the people. There was a great difference between trades unionism and "Boycotting." The Prime Minister himself had told the Committee that "Boycotting," when it merely meant exclusive dealing, was not illegal. He (Mr. R. Power) would ask how in justice and fairness a man could be sentenced to six months' imprisonment with hard labour for exclusive dealing when it had been declared in the House of Commons that exclusive dealing was not illegal? The Government had never yet defined what "Boycotting" was. In his opinion, "Boycotting" was illegal; under this Act it certainly was illegal. As the hon. Member for Meath (Mr. Metge) had said, "Boycotting" was a very different thing when used by the higher and educated classes and when used by the poorer classes.

The DEPUTY CHAIRMAN (Mr. Courtney): The hon. Gentleman is not now addressing himself to the clause, which is that—

> "No agreement or combination which, under the Trade Union Acts 1871 and 1876, or 'The Conspiracy and Protection of Property Act, 1875, is legal, shall be deemed to be an offence against this Act."

Mr. P. MARTIN thought, from what had been stated, it was probable a different meaning might be attached to the words used in the Amendment from what had been correctly stated as to their legal effect by the Home Secretary. If the clause, then, was to mean nothing, the Home Secretary would be acting well if he withdrew it altogether, for it was nothing but a mockery, a delusion, and, he would add, a snare.

Question put, "That the Clause be read a second time."

The DEPUTY CHAIRMAN (Mr. Courtney) stated, he thought the Ayes had it, and, his decision being challenged, he directed the Members to stand up in their places, and no Member having stood up, the Chairman declared the Ayes had it.

Mr. LABOUCHERE moved in line 3, of new clause, after "legal," insert—

> "Nor any agreement or combination between tenants or between agricultural labourers, of the same description as are permitted between artizans by the above Acts."

The hon. Gentleman said, he might, perhaps, be permitted to explain what this clause was. He could not find that the Home Secretary had exactly carried out the pledge that had been given by the Government. Hon. Gentlemen from Ireland and others from England were under the impression that it was very possible that tenants under certain circumstances might come under the operation of the Intimidation Clauses of this Act. He would give an instance of the way in which that could be done. Suppose that a landlord had a dozen tenants, he (Mr. Labouchere) and others had asked the right hon. and learned Gentleman the Home Secretary whether, if these dozen tenants were to agree together not to pay their rents, unless a reduction were made of 30 per cent, they would come under the operation of this Act? It was thought very possible that they would do so, because they might be brought under the Intimidation Clauses. If he remembered rightly, the Home Secretary said they would not. Of course, he (Mr. Labouchere) and others recognized that if men did not pay their rents they might suffer ejectment, or be subject to some other civil process; or, if they could be brought under the general Law of Conspiracy, they would be able to be indicted for conspiracy. But what the Committee desired to thoroughly understand was, whether tenants who acted as he had described would come under the Intimidation Clause? and he thought the Home Secretary had said they would not. There was, however, a difference of opinion, and the Home Secretary himself had suggested that certain words should be put in. At the same time, it was also suggested that the right hon. and learned Gentleman should put in certain words to exclude trades unions from the operation of the Act. Now, the Home Secretary had put in the words with regard to trade unions, but he had not put in words in regard to the case of tenants which he (Mr. Labouchere) had mentioned. He had supplemented the clause of the right hon. and learned Gentleman by words of his own; but he was quite prepared that they should be altered as the Home Secretary might think fit. All he wished was that the understanding which they had previously arrived at should be carried out; and that it should be clearly stated in some part of the Act that the tenants who did unite or agree together not to pay their rents should not be brought under the Intimidation Clause.

Amendment proposed,

In line 3, of New Clause, after the word "legal," to insert the words "nor any agreement or combination between tenants or between agricultural labourers, of the same description as are permitted between artizans by the above Acts."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, it was true that on a former occasion they had had a great deal of discussion upon the points referred to by the hon. Gentleman; but the hon. Gentleman would remember that the agreement of which he had spoken was dealt with by an Amendment proposed by the hon. and learned Member for Southwark (Mr. Cohen), which was to the effect that the words "in order to" be inserted. The Government accepted that Amendment for the purpose of disposing of the part of the 4th clause with which it dealt. And in answer to the hon. Member for Stoke (Mr. Broadhurst), he had stated previously that he would take care that the Act of 1875 was saved. In reference to the point raised by the hon. Member for Waterford (Mr. R. Power), he must say that the Government did intend to interfere with "Boycotting," whether it was done by individuals or by combinations of individuals. Beyond that, there was nothing in the Bill that affected any agreement or combination, whether of tenants, or labourers, or anybody else; there was nothing in the Bill which made a combination between any class of persons an offence if it was not an offence against individuals; therefore, he could not see that the Amendment of his hon. Friend was at all applicable here.

MR. P. MARTIN supported the Amendment of the hon. Member for Northampton (Mr. Labouchere). If, as he (Mr. Martin) understood from the statements of the Prime Minister and the Home Secretary, that tenants were to be entitled to combine to the same extent as artizans were permitted under the existing law, the insertion of those words was required to make that intention clear. A question so important ought not to be left in doubt. If, on the contrary, combination or agreement between tenants on a property to pay only a reduced rent was to be made illegal, let it be so expressed. He would not discuss the wisdom or propriety of the principle adopted by the Legislature when passing the Act of 1875. It was not right, by doubtful statements on the part of the Government, to leave the Irish people uncertain what the law was that they had to obey. If the Irish people had been made aware what the law was, and the intention of the Government to enforce its provisions, these difficulties would not have existed with which the Government had now to contend in Ireland. One great reason why this dark cloud now hung over Ireland was that hon. Gentlemen sitting below the Ministerial Gangway had not had the courage to state their real opinions in respect of this matter. Of all things, the Irish people ought to know exactly how far they might legitimately go on the path of Constitutional agitation, and when and under what circumstances what might appear to be legitimate protection of class interests became a crime. In order to force from the Government a clear statement of their views, he was glad this Amendment had been introduced.

MR. METGE said, the best answer the Home Secretary could have given would have been to accept the Amendment. The hon. and learned Member for Kilkenny (Mr. P. Martin) had said it would be a great thing if it could be clearly shown to the people of Ireland what the law really was. Anyone who had listened to these debates would certainly be at a loss to know what the Coercion Law was; they would only have a very hazy idea of it. He himself had been in his place almost continuously since the Bill had been under discussion, and he must confess that he had no knowledge of what the law of coercion was. The Home Secretary seemed to think it was quite sufficient if he got up in his place and made certain set arguments against anything the Irish Members, and others who acted with them, might propose. Set arguments, however, would not go down with him (Mr. Metge) and his hon. Friends. If the Home Secretary wished to extend the same power of justice and fair play to combinations in Ireland as he would to those in England, he would accept this Amendment. He (Mr. Metge) did not want crime to exist in Ireland, he wished to see it put down legitimately; but at the same time he wished to see the power left to the people of upholding the principles which had been maintained as their right—upholding them without coming into collision with this Coercion Act. The Amendment of the hon. Member for Northampton would include in the exclusion from the Bill any agreement or combination between tenants, or between agricultural labourers, of the same description as were permitted between artizans by the Trades Unions Acts 1871 and 1876, or the Conspiracy and Protection of Property Act 1875. The tenant farmers of Ireland had now to meet a state of things such as they were never brought face to face with before. They were now brought under the operation of the Land Act introduced by the Prime Minister, and it was proposed to hold out to them the boon of the Arrears Bill. Of the Arrears Bill, he would only say that, in his opinion, it was the most unstatesmanlike measure that he could conceive; it seemed to him to afford the strongest justification for the "no rent" manifesto that could be given. Under the "no rent" manifesto people were advised not to pay their rent, and under the Arrears Bill they were told their rent would be paid for them. There was a respectable body of leaseholders in Ireland who would be entirely shut out from the provisions of that wonderful Bill. The tenant farmers had not only to face the Coercion Law, which would deal with them as criminals if they did, or said, or thought anything which might be construed by the Gentleman at the head of affairs to be an offence under the Act; but they had now to face a combination of landlords. Within the last few days a combination of landlords had been formed for the direct purposes—no matter how disguised those purposes might be—of meeting whatever combination was left amongst the tenant farmers. The tenant farmers were but poor, needy, strŭggling men, and the landlords were rich and well-to-do men. The latter were allowed to establish a Corporation for the direct purpose of extermination. He did not wish to say a single word that was not justified by fact; but he thought it was proper to estimate the future action of the landlords by what they had done in the past. Hon. Gentlemen had seen that individual landlords had never failed to turn out of the land persons who, by the very Act that this House passed last Session, were proved to have been forced, year after year, to pay rack rents; they had seen the people turned out of their holdings without remedy or redress. If that had been done in the green leaf what would be done in the dry? If individual landlords had done that, what might the Committee expect a Corporation of landlords to do? There would be perfect immunity from extermination by landlords, unless the Government chose to step in, and either restrict in some measure the action of the Corporation of landlords, or give to the tenant farmers and labourers an equal chance of combination and co-operation among themselves. He always desired to see fair play, he liked to see landlords treated as fairly as tenants; and he thought, if combination was allowed on the one side, the least that could be done was to allow combination on the other side. The Home Secretary had brought in a clause excluding trades unions from this Act, and it seemed to him (Mr. Metge) that the argument of the hon. and learned Member for Kilkenny (Mr. P. Martin) against this clause was a strong one—namely, that the clause was entirely unnecessary. The Home Secretary, however, did not seem to agree with that; the right hon. and learned Gentleman seemed to think that unless such a clause was introduced, the powers of this Bill could be used as against trades unions in Ireland.

SIR WILLIAM HARCOURT: I never said so.

MR. METGE said, he begged the right hon. and learned Gentleman's pardon, but he must say that his was not an unnatural conclusion to arrive at, when he found the right hon. and learned Gentleman putting a saving clause on the Paper. Was the Amendment merely moved for appearance's sake? That abuse had been committed under combination he did not deny; but, in the main, combinations were legitimate, Constitutional, and for the benefit of the country at large. The administration of this Bill would be placed in the hands of men who were opposed in every way—by education, by habits, and by training—to the people, whom they looked upon, in a certain sense, as servants. He did not mean to say there were not numbers of landlords in Ireland who were benevolent and just men; but the best of the Irish landlords regarded what they did for their tenants as acts of benign benevolence; and they felt it was the benign right of landlords to be absolutely exonerated from the necessity of doing such acts at all. He looked upon the men who would be the chief Executive under this Bill as having only one policy, and that was a policy to enable them to extract the greatest amount of rent from the Irish tenant in the shortest possible time. [“Question!”] He was speaking directly to the Question, for he was arguing that the landlord class were permitted to carry on their organization, whilst the Irish tenants were not to be allowed to combine. It was said, “Oh, you may do anything that is not illegal;” but he and his hon. Friends knew that that argument was absolutely futile; it was altogether fallacious as regarded any good an Irish tenant farmer might gain by bringing his case before the Courts. For that reason the Irish Members should use every effort they could to secure the right of Constitutional organization to the Irish tenant farmers. Within the last few days an entirely new organization had sprung up in Ireland—namely, the organization of labourers. He recognized that as a very healthy sign; he always had a feeling that the labourers of Ireland were, perhaps, of any class, the least respected and the least cared for in Ireland; and, in the interest of order, the way to dissuade these men from crime was not by crushing them down below the surface, but by giving them power of combination, so as to direct their feelings into legitimate channels, by giving them power to use their combination to obtain the rights which were admittedly their due. He did not object to the combination of landlords any more than he objected to the combination of labourers. Both of such combinations might have very healthy and useful objects; but if the Government controlled the right of tenant farmers and labourers to combine, they ought also to control the right of the landlords to organize. If, on the other hand, the Government allowed the co-operation of landlords to go free, they ought to allow equal licence of combination to the poor, and needy, and labouring classes in Ireland, in order to enable them to obtain their fair measure of justice.

MR. BIGGAR said, it seemed to him that the Amendment of the right hon. and learned Gentleman the Home Secretary left the matter exactly where it rested before he proposed it—namely, in doubt as to whether or not tenant farmers could combine to the same extent as artizans could combine under the Trades Unions Acts. The Irish Members did not contend that anything in the shape of intimidation or outrage should be practised by tenant farmers and labourers with impunity, whether they entered into combination or not; but they held that it might be construed by lawyers that the expression “trade union” would exclude labourers and farmers from the provisions of the Trades Unions Acts. It was not desired that the tenant farmers and labourers of Ireland should have license for outrage or intimidation, but simply that they should be allowed to combine for laudable and legal objects, that combinations with such objects should not be held to be illegal under the provisions of this Act. That was all the Irish Members asked; it was a thoroughly reasonable request, and he could not see on what grounds the Government could object to it. If it was what was called surplusage, it could do no harm. It seemed to him that if the Government wished the Land Act to be successful they should encourage combinations of tenant farmers for the purpose of deciding legal questions which might require to be exhaustively fought in the Superior Courts. On what ground could the Government object to encourage these combinations? Of course, if the tenant farmers did anything in the way of outrage by the fact of their being in combination, he would not allow combination; but, as a rule, combinations were extremely beneficial in a country.

Question put, "That those words be there inserted."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated he thought the Noes had it, and, his decision being challenged, he directed the Ayes to stand up in their places, and Six Members only having stood up, the Chairman declared that the Noes had it.

Question put, "That the Clause be added to the Bill."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated he thought the Ayes had it, and, his decision being challenged, he directed the Noes to stand up in their places, and no Member having stood up, he declared the Ayes had it.

SIR WILLIAM HARCOURT moved the following Clause after Clause 26:—

(Saving for Associations.)

"Nothing in this Act shall render unlawful any political or social association for such objects, and acting by such means as, under this Act or otherwise, are not unlawful, nor shall membership of such an association be deemed to be an offence against this Act."

This clause was, with certain modifications, the clause proposed by the hon. Member for Wexford (Mr. Healy). He had desired to carry out the views of the hon. Member for Wexford as far as he could, and he hoped that his intentions would be appreciated by the hon. Member for Meath (Mr. Metge), and that in moving this new clause he would not incur that hon. Gentleman's intense indignation. As a rule, saving clauses were put in, not because they were absolutely necessary, but in order that no misapprehension should arise on the subject. He would be glad to put this clause in, because he had received letters from Friendly Societies and other bodies of that kind in Ireland, anxious to know whether anything in this Bill would interfere with their organization? He was happy to answer there was nothing in the Bill to interfere with an organization like that of a Friendly Society. It was just as well to make the matter clear that that was so, and, therefore, he moved this new clause, and hoped that, at all events, he might receive credit from the hon. Gentleman the Member for Meath (Mr. Metge).

Clause read a second time, and *added* to the Bill.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): The next Amendment stands in the name of the hon. Member for Wexford (Mr. Healy). It declares that—

"Every person who, within six months after the passing of this Act, being a landlord, shall proceed against any tenant by ejectment for non-payment of rent, or by sale of such tenant's interest in his holding, under an execution for such rent, under circumstances which, in the opinion of a Court of Summary Jurisdiction, acting under this Act, render such proceedings unjust, or by reason of excessive rent or otherwise, shall be guilty of an offence against this Act."

I have examined the Bill, and I think this is not material to the sections already passed or within the purview of the Bill, and therefore it cannot be put. The next Amendment stands in the name of the hon. Member for Kilkenny (Mr. Marum). It proposes that—

"Section thirty-nine of the Act of the Session of the thirty-third year of the reign of Her Present Majesty, chapter nine, intituled 'The Peace Preservation (Ireland) Act, 1870,' is hereby re-enacted and shall continue in force for the same period as this Act, and shall have effect as if it were contained in this Act, with the additional power and authority that the grand jury of the county in which such district may be situate shall from time to time present to be paid to the Lord Lieutenant every such certified sum of money in respect to which the Lord Lieutenant may have made an order, and which, in pursuance thereof, shall have become chargeable as aforesaid upon such district or limited portion thereof as determined by such grand jury, such money to be raised, and every such presentment made and levied, in like manner as if such sum were presented to the personal representative of a person murdered, or to a person maimed or injured under the said Act."

This power has already been given to the Lord Lieutenant by Clause 16 of the Bill; the Amendment is in direct contravention of that, and therefore it cannot be put. I must now call upon Mr. Parnell.

MR. LABOUCHERE said, in the absence of the hon. Member for the City of Cork (Mr. Parnell), he would take upon himself the duty of proposing the insertion of the following Clause:—

(Treatment of persons convicted of treason or treason felony, &c.)

"Whereas it is expedient that a clear difference shall be made between the treatment of persons convicted of treason or treason felony, and the treatment of persons who have been convicted of other crimes, during the period of their detention in prison, and that, in order to secure the observance of such difference, there shall be in force, in every place in which such prisoners are confined, special rules regulating their confinement, in such manner as to make it as little as possible oppressive, due regard only being had to their safe custody, to the necessity of preserving order and good government in the place in which they are confined, and to the physical and moral well-being of the prisoners themselves: Be it therefore enacted, That the Lord Lieutenant shall make, and, when made, may from time to time repeal, alter, or add to, special rules for the treatment of such persons: Provided always, that the treatment and discipline of such persons prescribed by such rules shall not exceed in severity that prescribed for misdemeanants of the first division, within the meaning of section 67 of 'The Prisons Act, 1865.'"

He thought this was a very important clause, and hoped to be able to show the Home Secretary that, with certain modifications, he might very fairly accept it. He would not go into the great distinction that existed between political prisoners and other prisoners; but he would point out that the Prime Minister himself wrote one of his most eloquent works upon the treatment of Polerio and other political prisoners, and he thought it was admitted that in civilized countries a distinction between political prisoners and other prisoners did exist. He would meet at once the objection which, perhaps, the Home Secretary would raise to this clause. The right hon. and learned Gentleman would say—"We are not aiming in this Bill against *bonâ fide* political opponents, but we are aiming against murderers and others." If there were murderers and the like, the right hon. and learned Gentleman could proceed against them by two clauses of the Bill for their crime. He (Mr. Labouchere) only asked the right hon. and learned Gentleman to consider the position of those who were supposed to be guilty of treason or treason-felony, and who were not convicted of any other crime either under this or any Act. He would appeal to the right hon. Gentleman the late Home Secretary (Sir R. Assheton Cross) on this matter. The Home Secretary in the last Parliament, when there were certain political prisoners, expressed his regret that he was not able to make concessions with regard to those who were punished for treason-felony, because he was not empowered by the law to do so. In 1871 the Devon Commission sat. That Commission reported in favour of the——

MR. MORGAN LLOYD rose to Order. Notice of this clause had been given in the name of the hon. Member for the City of Cork (Mr. Parnell), and he (Mr. Morgan Lloyd) would like to know whether his hon. Friend the Member for Northampton was in Order in moving it, he not having given Notice of it?

THE DEPUTY CHAIRMAN (Mr. COURTNEY) said, he was not aware that it was necessary for an hon. Gentleman to give Notice of a new clause before he could move it.

MR. LABOUCHERE, continuing, said, he was saying that the Devon Commission, in 1871, reported in favour of persons in prison for treason or treason-felony being treated exceptionally. Probably many hon. Gentlemen had read the evidence given by Mr. Davitt before the Penal Servitude Commissioners in 1879. It was shown that the treatment of educated men in prison was so monstrous, that Mr. Davitt was treated in so gross and scandalous a manner that the indignation of all who read that Report was aroused. When Mr. Davitt was first brought into prison he was stripped naked, and, in fact, his treatment was so gross that, when the hon. Member for Galway (Mr. Mitchell Henry) was calling attention to it some years ago, he had to ask that the Ladies' Gallery should be cleared. It was then shown that they had either to shut these prisoners up under the Prison Rules in solitary confinement, or they had to place them amongst the convicts. He (Mr. Labouchere) could assure the right hon. and learned Gentleman the Home Secretary that a great many of those who had looked into this Bill were exceedingly anxious on this point. He was quite ready to make any reasonable alteration in this clause; for instance, he would suggest that the latter part of the clause should read in this way—

> "Be it therefore enacted, That the Lord Lieutenant may," instead of 'shall,' "make, and, when made, may from time to time repeal, alter, or add to, special rules for the treatment of such of these persons as he may think fit."

He quite admitted there might be some persons charged with treason or treason-felony whom the Government might know had committed other crimes, and who ought not to be treated in a better way than any other convict. He would propose to leave out "Provided always," &c., so that prisoners would not necessarily be treated as first-class misdemeanants. The only effect of the alteration he proposed would be that, whereas without it, it was impossible for the Executive to make a distinction if they wished, it would leave it entirely in the hands of the Lord Lieutenant to make a distinction, if he chose, and to apply it, if not to all, certainly to any persons whom he might think ought not to be, from the circumstances of their case, treated absolutely in the same way as convicts.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR WILLIAM HARCOURT said, the Preamble of this clause proceeded on the notion that persons guilty of treason or treason-felony were, from the very nature of their offence, to be treated as leniently as possible, due regard only being had to their safe custody. [MR. LABOUCHERE: Hear, hear!] The hon. Member said "Hear, hear!" but he (Sir William Harcourt) was stating his reason for altogether differing from that view of the case. In his opinion, treason or treason-felony was one of the gravest crimes that could be committed by any subject of the Queen. It was grave in this respect, that it not only was an offence on the part of the individual who committed it, but it led others into danger of their lives and liberties. Let him state an ordinary case of treason-felony. A man set to work to supply a misguided and ignorant people with arms for the purpose of inducing them to rise in rebellion, a rebellion that might lead to the loss of the lives of hundreds of people, and certainly to the great disturbance of the country. That was to be treated as little oppressively as possible. He knew no greater crime; murder itself was not a greater crime, because treason or treason-felony might lead to the loss of hundreds of lives, and might lead people to an armed rebellion; and, therefore, nothing more mischievous than the doctrine stated in the Preamble of this clause; nothing more destructive to the peace of Her Majesty's Dominions, whether in Ireland or elsewhere, nothing more pernicious than the doctrine contained in this Preamble, could it be possible to conceive. Under no circumstances could the Government meet such a clause as this, with such a Preamble, except with the most absolute reprobation. Well, so much for the Preamble of this clause—a clause which was meant, if it meant anything, to encourage rebellion, to justify it, to teach the Irish people that rebellion was a venial offence. He might almost say that this clause and its Preamble was an incitement to rebellion. He now came to the enacting part of the clause. To treat a man who had supplied arms for the purpose of rebellion in Ireland as a first-class misdemeanant was a proposition too strong for the common sense of his hon. Friend (Mr. Labouchere), and he had consequently abandoned the words, and he had only adopted the features of the clause of the hon. Member for the City of Cork (Mr. Parnell). Having abandoned the Preamble, and having, as he (Sir William Harcourt) hoped, abandoned a principal part of the enactment, the hon. Gentleman wished to adhere to the declaration that the Lord Lieutenant might make what rules he liked. He could assure the hon. Gentleman that was totally unnecessary. The Executive Government had complete control over the treatment of prisoners in prison, and might modify the treatment of any particular person in any manner they thought fit; therefore, it was totally unnecessary to say that the Lord Lieutenant should have power to deal with the case of a particular person as he thought fit. He was quite sure it was in the knowledge of the Members of the House that that power rested with the Secretary of State in England and was so exercised, and similar power rested with the Lord Lieutenant in Ireland. What was absolutely not to be permitted was the holding out to the people of Ireland the notion that treason or treason-felony was a crime that was to be regarded with any special lenity or favour, and on behalf of the Government he must oppose this clause.

MR. STOREY said, he had often had difficulty, during his political career, in quite making up his mind as to whether the present Home Secretary was a Whig or a Tory; but after the exposition of his principles they had heard to-night, he could not help coming to the conclusion that the right hon. and learned Gentleman belonged rather to the Tory ranks than to the Whigs, for how could a Whig, the child of rebellion and insurrection——

Colonel MAKINS rose to Order. He wished to know whether the hon. Gentleman was in Order in describing the Home Secretary as a child of rebellion and insurrection?

Mr. STOREY said, the hon. and gallant Gentleman might set his mind at rest; the Home Secretary quite understood that he (Mr. Storey) was dealing with the history of the Whig Party, and not with the right hon. and learned Gentleman personally. It was an unpopular thing to say; but treason or treason-felony might be, and very often was, a crime not only to be leniently treated, but to be honoured. There was sufficient in the past treatment of Ireland by that House and this country to have justified the Irish people, any time during the last century, and any time during the early part of this century, in taking up arms, and rebelling against England.

Sir JAMES M'GAREL-HOGG wanted to ask whether the hon. Gentleman was in Order in advocating rebellion?

The DEPUTY CHAIRMAN (Mr. Courtney): The declaration of the hon. Gentleman referred to the last century; and, that being so, I cannot say he is out of Order.

Mr. STOREY said, he was going to add that of late years they had in that House altered their treatment of Ireland, and honest attempts had been made, and he freely admitted were being made, to govern Ireland upon a more reasonable principle. Parliament, however, was always too late and slow in these matters; and by its neglect, by putting off remedial measures, it gave good reason to the more active and more earnest-minded—if they would, to the more impassioned—of the Irish people to take swifter and more dangerous means of attaining their ends. It might be that there were men who had been driven into these dark paths who deserved not so much condemnation as pity, and in their case leniency ought to be exercised. There were people in England, and not a few of them, who were so convinced of the evil treatment of Ireland, not by the English, but by the privileged class of England, that they would take strong measures to bring about a better state of things. The hon. Member for Northampton had exercised discretion in modifying the Amendment of the hon. Member for the City of Cork. There might be people who, as the Home Secretary had very properly said, committed acts, and incited men in such a way that if they could be got at they would be severely punished. On the other hand, there were degrees of treasonable conduct which might be met in a different spirit; there were men who had been seduced into a departure from the law by bad and cruel treatment of themselves or their families—treatment at the hands of friends of hon. Gentlemen opposite. There might be men suffering under a sense of wrong——

Sir JOHN LUBBOCK rose to Order, and asked whether the hon. Member was speaking to the Question before the Committee? The Chairman had already ruled that to refer to what happened in the last century was not out of Order.

The DEPUTY CHAIRMAN (Mr. Courtney): The allusions to the last century and the beginning of this century were to treason; anything of that kind with reference to the present time is out of Order. The allusions now are to the supposed improper conduct of individuals, and they are not out of Order.

Mr. STOREY said, he was endeavouring to say that if there were men smarting under a sense of wrong——

Mr. PLUNKET rose to Order, and said, the hon. Member was making a very strong attack upon those who were connected with landed property in Ireland, and if that was persisted in, it might lead to a debate; but if the hon. Member was not referring to the present time, he wished to know from the Deputy Chairman what it had to do with the subject-matter before the Committee?

The DEPUTY CHAIRMAN (Mr. Courtney): I understood the argument of the hon. Member to be that certain persons were incited in such a way that might lead to treason, or treason-felony, through resentment at the conduct of certain persons in Ireland; that is not out of Order.

Mr. STOREY said, he would relieve the minds of hon. Gentlemen opposite by condensing his view into a single sentence—namely, that although there might be, and were, men who had been guilty of treasonable acts, who deserved severe punishment, yet, on the other hand, there were men smarting under a conviction of misery produced by an evil system in Ireland, and who were led by their strong feeling of resentment into technical offences against the law. As to these men, the hon. Member for Northampton was right in pressing on the Government that their treatment should be more lenient than that of the other class of cases. What did treason amount to after all? If he failed in a movement, he was a traitor; if he succeeded, those opposed to him were the traitors. The men who succeeded were the patriots; the men who failed were the traitors.

Mr. A. J. BALFOUR said, he understood that the hon. Gentleman was of opinion that treason was merely a matter of who happened to be in power, or who were not in power.

The DEPUTY CHAIRMAN (Mr. Courtney): I understand the hon. Member to enter into a different argument; and I am sure the hon. Member for Hertford understands the epigram.

Mr. STOREY said, it was an old and musty epigram, but expressed a truth. In rough-and-ready language he had expressed what all the great Whigs of the past believed in; and if the Whigs of to-day had forgotten the lessons of their forefathers, there were Radicals who were ready to take those lessons to heart, and, when occasion arose, to prove that they believed in them.

Mr. PLUNKET said, so far as he was concerned, he would not enter into the contest to which the hon. Member had challenged him, because he did not desire to give further notoriety to an argument which seemed to be brought forward as a direct incitement to treason and treason-felony, and would go far to neutralize the measure over which the House had spent so much time.

Colonel NOLAN said, treason-felony was on quite a different footing from ordinary crimes. There were two countries by which he thought England might take example.

Mr. JONES PARRY rose to Order, and asked whether the hon. and gallant Member was confining himself to the clause, which did not appear to him to raise the question of treason and treason-felony, but referred to the treatment of prisoners in gaols in Ireland?

The DEPUTY CHAIRMAN (Mr. Courtney): It is impossible for me at present to say what the observations are.

Colonel NOLAN said, there were two countries by which England might take example in this matter—one smaller in population than Ireland, and one larger—namely, Switzerland and the United States of America. Twenty years ago Switzerland had a revolution; but men were not imprisoned. What did America do when it experienced the most formidable revolution in the history of the world? Only one single man was punished, and he believed those who punished him were sorry for having done so. Those were very fair instances of how other countries looked upon the crime of treason. We might look at our own case and argue whether we would give up refugees who had committed treason. We gave up refugees for murder and forgery, but not for treason; and, therefore, he thought, in spite of the argument of the Home Secretary, that treason ought to be looked at as an offence different, if not in degree, at least in class, from other offences. The object of this Amendment was not to make punishment for treason less severe, but less degrading than for other offences, and the argument of those who maintained that that Amendment should be introduced was that if this punishment was made degrading, too much sympathy would be created with the offender, because, after all, people would be sure to draw a distinction between political and other offences. There was another reason why this distinction should be drawn—to commit a political offence it was absolutely necessary for a great number of people to be persuaded of the desirability of a particular object. The fact of persuading a large number of people created a great difference as to this offence, and it was only reasonable that, although treason might have to be punished, it should not be made degrading. Sympathy would be excited for very dangerous men, and in that way the Government would be setting themselves against the sympathies of the whole of the English-speaking people in Australia, America, and elsewhere. If men were subjected to punishments such as the English-speaking countries did not approve of, there would always be a strong feeling stirred up against England. They had Ireland, Canada, the Bermudas, the West Indies, and other countries, and they must take all this into consideration, for he believed nothing would injure the good feeling of the English-speaking race in the whole world more than the infliction of degrading punishments for an act of treason. If the Government set up, as the Home Secretary seemed to wish, a law of their own, and say the English Institutions were so perfect that rebellion or treason against it was worse than treason in any other country, they would seriously weaken those Institutions. The attitude of the Government upon this matter was one which other communities had not adopted, unless it was Venice. If prisoners were treated in this matter generally, sympathy would be aroused on their behalf, and the conduct of the Government would be condemned by English-speaking people throughout the world as un-English.

MR. R. POWER said, he was afraid the discussion was wandering away from the point. He was not going to discuss whether the Home Secretary was a Whig or a Tory. He had great confidence in the right hon. and learned Gentleman; and although he was very sorry that the right hon. and learned Gentleman had declared himself a Whig, he should not make the same speech as the hon. Member for Sunderland (Mr. Storey) made, because he might come under the provisions of this Act before it was passed. The subject before the House was the treatment of political prisoners, and in order to judge of the manner in which those prisoners might be treated, it was only necessary to look back to 1871, when a Royal Commission was appointed to inquire into the question. He did not propose to read the evidence given before that Commission; but anyone looking over it must be struck by the remarkable severity and hardship and brutality to which men imprisoned for treason or treason-felony were subjected. He need not enter into the history of cruelty and hardships to which Mr. Davitt was subjected.

SIR WILLIAM HARCOURT asked whether the hon. Member was referring to last year?

MR. R. POWER said, he was not referring to Davitt's treatment under the present Home Secretary. He had treated Mr. Davitt very well, and had let him out of prison. He was speaking of his treatment when he was imprisoned by the Conservative Government. That treatment was a disgrace to a civilized country. When Davitt was a young man he lost his arm; but when he was imprisoned he was compelled to draw a cart loaded with stones by means of ropes passed round his body. He complained that this hurt him; but his complaint was not listened to, and he was obliged to do this work, until the doctor interfered, and said if he continued it mortification would set in. He defied denial to that statement, and he asserted that such treatment was a disgrace to a civilized country. All that was now asked was that the Lord Lieutenant might modify the present rules as he thought proper and wise. Surely there could be no objection to giving the Lord Lieutenant that discretion. Under the present provision an immense power was given to the Lord Lieutenant, and in regard to the treatment of prisoners, if the Government had the confidence they pretended to have in the Lord Lieutenant, they could give him the same power of discretion in the case of political prisoners. Punishment was one thing, guilt was another; and the Government could not do a more injurious thing in carrying out this measure than refusing to give the Lord Lieutenant this discretion.

MR. NEWDEGATE said, he had listened to what he considered very dangerous doctrines. The hon. Member for Waterford asked that discretion should be vested in the Lord Lieutenant, which would render the amount of punishment uncertain. What was treason? It was an offence against the whole community. The United States afforded an example of the way in which the penalty for treason had been increased in severity. He confessed that that went far beyond his notions of justice and propriety, by the prolonged delay of the execution of the murderer of the President. It was otherwise in this country. Here the law against treason had been rendered uncertain and remote. The utterance of treason was now scarcely considered criminal, and this seemed to have led hon. Members to consider treason a venial offence. No matter what the State might be, or what the form of Government against which treason was committed, there was no law book of any value which did not record this as an offence of the highest kind, because it was an offence against the whole community. There had been revolutions, and revolutionists must stand the test of their action being justifiable, by being willing to face the severity of the law, which they thought it necessary to violate. If a revolutionist did that, he did it with his eyes open; but what he hoped would never be done in this country was to render the penalty for treason more uncertain, because that would be a direct incitement to rebellion. In America, beneath the written law lay Lynch law, the severest of laws—the most unmeasured, the most severe of all laws, if law it could be called. Anxious as he was for the peace of Ireland and England, he could not hear doctrines tending to render the penalty for treason uncertain broached without remonstrance.

Mr. METGE said, he thought the ideas expressed in this discussion were hazy in the extreme. So far as his opinions went, it struck him as a curious argument to draw to say that the crime of treason was morally more heinous than that of murder. Murder was in almost every case accompanied by aggravated incidents which were abhorrent to the best and highest feelings of men, and shocked everyone who pretended to have the faintest atom of human feeling. On the other hand, treason was not only far from being heinous, but in itself was sometimes most ennobling. On this subject he would simply remind the Committee of the reception General Garibaldi met with in London——

Mr. HICKS: Mr. Chairman, I move that the hon. Member's words be taken down.

The DEPUTY CHAIRMAN (Mr. Courtney): I must ask the hon. Member to repeat his words.

Mr. HICKS: He said the act was ennobling—treason was ennobling.

The DEPUTY CHAIRMAN (Mr. Courtney): Does the hon. Member admit having used the words?

Mr. METGE: No; certainly not. He could not say positively what words he used, but he knew the idea he wanted to convey. He could positively say, however, on the word of a gentleman, that he never intended to use the words attributed to him, and he would ask any hon. Member to rise in his place and repeat the exact expressions he had made use of. What he wished to convey was that the act of treason-felony was—well, he could not explain himself. [*Laughter.*] Yes, it was true he could not at the moment explain himself; but there was one thing he meant to do, and that was not to sit down until he had explained himself. He was not afraid of that House or any other House——

The DEPUTY CHAIRMAN (Mr. Courtney): I should like the hon. Member to proceed with his observations.

Mr. METGE said, he wished to proceed—he wished to get a chance of proceeding. He was charged with using words which he absolutely denied, and he was speaking to a House supposed to be composed of gentlemen. He had never said that the crime of treason-felony was ennobling; but he had said that it was distinguished from the crime of murder. He said the feeling which incited persons to commit acts of treason-felony was in itself——

Lord ALGERNON PERCY: As the hon. Member has asked some hon. Member to rise in his place and say exactly what were the words he used, I beg to state that the words were "treason-felony is ennobling."

The DEPUTY CHAIRMAN (Mr. Courtney): The noble Lord is irregular in interrupting the debate.

Mr. METGE said, that, when interrupted, he was saying that, seeing the strong feeling that existed on this matter, it was curious that such a House should have received Garibaldi, the great apostle of treason, with acclamation. Garibaldi received a perfect ovation in London—and from hon. Gentlemen, some of whom were sitting on the Treasury Bench. Members of Her Majesty's Government were amongst those who did honour to the man who opposed his King—nay, who dethroned his King—the man who was successful in one of the most determined revolutions that had marked the history of the past quarter of a century. In a country which had bestowed such praise upon Garibaldi, he must say it seemed to him to be unseemly that they were unable to imagine that a man might be of noble character and possess the strongest feelings of humanity, and at the same time have committed the offence of treason-felony. But, to go from this, if the Home Secretary thought the early part of the clause would condone the offence of treason in any way, it would be a very easy thing to modify it. To say, however, that persons who were guilty of the offence of treason in any degree should be subjected to the same punishment as those unfortunate men whose cases had been brought before the House was to put forward a proposition which he could not think any hon. Member would get up and support. He could understand a man being shot, hanged, or made away with in some other fashion for the offence of treason; but he could not understand torturing him for it. The people who had been convicted under the Treason Felony Acts in Ireland were strong cases in point. He remembered one case himself—that of Sergeant McCarthy. This poor fellow, who was in a very delicate state of health, was confined in a cell that measured about six feet square, to which light and air was communicated solely through a four-inch loophole in the wall. The man suffered from congestion of the lungs, and his breathing was terribly affected; and, in evidence before a Committee of the House, he had positively asserted that it was his constant habit, day after day, to cling on to the iron bars of this miserable loophole, drag himself up, in spite of his emaciated condition, and get a few gasps of fresh air. The man only lived to regain his freedom—he did not survive his release and return to his native country more than two or three days. What was the result of all this? Why, that the man was made a martyr of. Acts such as these tended to make martyrs of men who would otherwise have no claim to the consideration of the people of Ireland. It should be in the power of the Executive to use their discretion as to the punishment which should be inflicted. The Amendment would give the Executive this discretion, leaving it to them to say what punishment should be awarded and how it should be modified. If the Amendment were adopted, he was sure it would not defeat the ends of justice. It would lessen that bitterness of feeling which was given rise to when well-educated and delicately-nurtured men were roughly handled in miserable dungeons and forced to associate with felons of the lowest character. It was martyrdom of this kind which seemed to him to have led to the strongest condemnation of the British Government in Ireland.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would suggest that the time had come when they should put an end to this discussion, for they were either sinking to the level of a debating society, or treading on very dangerous ground. The only suggestion that could be offered in support of this new clause was that, in the opinion of some Members of the House, men might be traitors, and yet commit only a venial offence. Why were they to select treason as a crime to be held out as, in the opinion of the House, exceptional on account of its venial character? The suggestion was a dangerous one, and he (the Attorney General) maintained that to continue the discussion in this spirit must of necessity have a most damaging tendency. It had been said by an hon. Member that Members of the Whig Party had taken part in successful and unsuccessful treason. Well, if they had taken part in unsuccessful treason they were convicted traitors; but they had had the courage of their opinions. They had never asked to be treated as first-class misdemeanants. They had stood the consequences of their acts, and he would ask hon. Members who were in sympathy with treason themselves to contemplate those consequences.

MR. R. POWER said, he rose to a point of Order. He wished to know whether the hon. and learned Gentleman was in Order in imputing to any hon. Member of that House sympathy with treason.

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I did not understand the hon. and learned Member to do that.

MR. R. POWER: Those were the words he used.

MR. CALLAN said, the Attorney General, with well-simulated indignation, which he had learned elsewhere than in that House for temporary purposes, had asked why should they select treason as a crime to be treated exceptionally? He (Mr. Callan) would reply by asking—why did the Government treat persons in this country guilty of treason against Foreign Sovereigns and Foreign Governments different to the manner in which they treated other foreign offenders? The Attorney General, at this very moment, had offences of this kind before him. Under Extradition Treaties the hon. and learned Member would proceed against persons who had committed murder, forgery, or robbery in France, Germany, Russia, or any other foreign country—he would proceed against these people and hand them over to the authorities of their own countries. The hon. and learned Member had done that repeatedly during the present year; but had he or the Government ever presumed to hand over to any Foreign Power any person accused of treason or treason-felony? Certainly not. Then, when they themselves made so broad a distinction between treason or treason-felony, and other crimes, why did they turn round, and, affecting an air of indignation, say—"Why do you want to make this exception?" Who had they made the Governor of one of their Colonies?

THE DEPUTY CHAIRMAN (Mr. COURTNEY): I must ask the hon. Member to address the Chair.

MR. CALLAN said, he wished to ask who, by the advice of the Government, had been made a Knight and a Governor of one of their Colonies? Why, Sir Charles Gavan Duffy, who had been convicted of treason-felony in Ireland. Had they not had in their House John Martin, and had they not spoken of him as a friend, and yet that person had been convicted of treason-felony? John Martin had expiated his sentence, and he (Mr. Callan) had heard the present Prime Minister appeal to him as one of the purest spirits he knew. Who, he (Mr. Callan) would ask, was at the present time ingratiated with the Government—who but one Michael Davitt had accused of having been the first to lead him into treason.

MR. BIGGAR said, he would ask the right hon. and learned Gentleman the Home Secretary how he had treated Michael Davitt when he was in prison at Portland? He had not treated him as a common felon—he had not asked him to associate with the ordinary rank and file of the convicts in Portland Prison, he had not asked him to do menial work, but had treated him as a special political prisoner; and all the new clause asked was that the Lord Lieutenant should have power to do what the right hon. and learned Gentleman the Home Secretary had already done in that particular case. Reference had been made to John Martin, and he would ask whether anyone would for a moment contend that such a person should be treated as a common felon? Such a proceeding could not be thought of. As a matter of fact, the Government were making it appear that they were much more severe than they intended to be. They never intended to treat men of this stamp as they sought to make it appear that they wished to treat them. How did the United States treat Jefferson Davis? They did not treat him as a common felon. They put him on his trial, kept him in confinement for a short time, and then gave him a free pardon. Her Majesty's Government should do as other Governments would do in regard to political prisoners, and as, in practice, they did themselves in regard to political offenders belonging to Foreign States.

MR. P. MARTIN said, that what had fallen from the hon. Member for North Warwickshire (Mr. Newdegate) had involved them in some irrelevance and heat, and some things had been said which it would have been better not to have introduced into the debate. When they came calmly to consider the question before them they would see that it reduced itself into a very small compass. It was this, whether the Government would consent that the treatment of political prisoners in gaol should be different to that of ordinary prisoners. That was the sole question raised under the clause, and the preliminary matters, involving the apple of discord, which had been occupying the attention of hon. Members might now very well be allowed to drop. They knew that some hon. Members who had the good fortune to occupy seats on the Treasury Bench had been first and foremost in asserting that which, years ago, would have been high treason in this country, and first and foremost in asserting Italian nationality. What Irish Members wanted was Irish nationality; let the Members of the Government to whom he referred be logical in their conclusions. Instead of Italian nationality let them advocate nationality in Ireland. What he wanted to enforce on the Committee was, that whereas Englishmen, of all others, had been pre-eminent in asserting that no punishment of a degrading character should be imposed upon those suspected of favouring Italian nationality, they should deal in the same manner with persons suspected of favouring Irish nationality. He trusted, therefore, he should have the support of the Government when he proposed to amend the clause by omitting all the words from "Whereas" to——

THE DEPUTY CHAIRMAN (Mr. COURTNEY): The Question now before the Committee is that the clause be read a second time. I think it also right to remind the Committee that it is open to the Chairman to ask an hon. Gentleman to discontinue his speech on account of needless repetition.

Question put, "That the Clause be read a second time."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated he thought the Noes had it, and, his decision being challenged, he directed the Ayes to stand up in their places, and Eleven Members only having stood up, the Chairman declared the Noes had it.

MR. O'SHEA said, that, in the inevitable absence of the hon. Member for Wexford (Mr. Healy), he would move the clause standing in that hon. Member's name. It was in these words—

(Repeal of "Protection of Person and Property (Ireland) Act, 1881.")

"From and after the passing of this Act, the forty-fourth Victoria, chapter four, shall be and the same is hereby repealed."

As, no doubt, the Government were convinced that the Bill before the Committee would be effectual in putting down crime in Ireland, there could be no object in wishing to keep on the Statute Book the unfortunate Coercion Act which had proved so ineffective.

New Clause—

(Repeal of "Protection of Person and Property (Ireland) Act, 1881.")

"From and after the passing of this Act, the forty-fourth Victoria, chapter four, shall be and the same is hereby repealed." —(*Mr. O'Shea.*)

Motion made, and Question proposed, "That the Clause be read a second time."

SIR WILLIAM HARCOURT said, the Government had considered this matter very carefully, and their view was that it would not be safe and proper that the Act entitled "Protection of Person and Property (Ireland) Act, 1881," should be allowed to lapse before the expiration of the period for which it was passed.

Question put, "That the Clause be read a second time."

THE DEPUTY CHAIRMAN (Mr. COURTNEY) stated he thought the Noes had it, and, his decision being challenged, he directed the Ayes to stand up in their places, and Ten Members only having stood up, the Chairman declared the Noes had it.

MR. METGE said, he wished to move the clause which stood in his name with reference to the grant of outdoor relief to the families of prisoners. The clause would not in any way affect the treatment of prisoners, nor would it effect an alteration in the law, which would be exceptional as regarded Ireland. As the law stood at the present moment in England, it was possible to grant outdoor relief in all cases where the head of the family was in gaol or other place of confinement; but this was not the case in Ireland. In that country no person was qualified to receive the benefits of the Poor Law unless incapacitated by mental or bodily infirmity. Therefore, as the law at present stood, the families of persons who came under the operation of this Act would be excluded from the advantage of receiving relief, supposing they were rendered destitute by being deprived of their bread-winners. Apart from the general argument, he would point out that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had described this measure — which everyone must allow was severe—as the most severe that had ever been entered on the Statute Book, and which might well be spoken of as a disgrace to England. This Bill, to a great extent, dealt with political offences, and, so far as such offences were concerned, he thought it was specially unjust that, because the head of a family allowed himself to be entrapped or seduced into criminal ways, his wife and children should be made sufferers. A man might commit an offence which his wife and children might do all in their power to prevent him committing. For these reasons the Government ought to accede to this proposal; the acceptance of the clause would be a mere act of justice and humanity to those who were in no way implicated in crime.

New Clause—

(Grant of Outdoor Relief.)

"The enactments contained in the third section of 'The Relief of Distress (Ireland) Act, 1880,' as amended by the ninth section of 'The Relief of Distress (Ireland) Amendment Act, 1880,' shall, so far as relates to the families of persons arrested or imprisoned under this Act, continue in force during the continuance of this Act."—(*Mr. Metge.*)

Motion made, and Question proposed, "That the Clause be read a second time."

The ATTORNEY GENERAL (Sir Henry James) said, the Government were unable to accept this clause. The Relief of Distress (Ireland) Amendment Act, provided that Guardians of the Poor might give outdoor relief to those persons who were unable to support themselves. It would not be proper to provide relief for persons who committed offences under this Act.

Mr. BIGGAR said, this was a very exceptional Act, and it would be well that it should contain some such clause as was now proposed. He had understood that the Attorney General for England had given a promise that this question should be dealt with. On Report the Government ought certainly to agree to some clause of this kind. There would be no loss to the ratepayers; but, on the other hand, the clause would prove an enormous advantage to the families of the men convicted of crime.

Question put, and *negatived.*

Sir WILLIAM HARCOURT proposed to add, as a new paragragh to the 1st Schedule—

"An appellant shall be entitled, on application, to have a copy of the shorthand writer's notes, free of charge."

The insertion of such words would fulfil a pledge he gave in the course of the Committee.

Amendment *agreed to.*

Schedule 1 *agreed to.*

The ATTORNEY GENERAL (Sir Henry James) moved the following Schedule, which he explained was a merely consequential Amendment on the Special Jury Clause, which had been already discussed:—

Second Schedule.

[Note.—Special jurors for the trial of any case triable in any of the places specified in either column of this schedule, are to be taken indifferently by ballot from the panel for that place and the panel for the place named opposite thereto in the other column of the schedule.]

Column 1.	Column 2.
County of Antrim.	County of the Town of Carrickfergus.
County of Cork.	County of the City of Cork.
County of Dublin.	County of the City of Dublin.
County of Galway.	County of the Town of Galway.
County of Kilkenny.	County of the City of Kilkenny.
County of Limerick.	County of the City of Limerick.
County of Waterford.	County of the City of Waterford.

Second Schedule *agreed to.*

Preamble *agreed to.*

House *resumed.*

Bill *reported.*

Mr. ONSLOW asked the Home Secretary, If it would not be well to take the Report and third reading of the Bill on Thursday or Friday rather than have a Saturday Sitting? In the interest of Ireland it was right the Bill should be passed as speedily as possible.

Sir WILLIAM HARCOURT said, he could not give an assurance. He hoped the Report would be considered on Thursday.

Bill, as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 226.]

ALLOTMENTS BILL.—[Bill 90.]

(*Mr. Jesse Collings, Mr. Burt, Mr. Brand, Mr. Bryce.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Mr. JESSE COLLINGS said, there were many Amendments to which he should be happy to agree. If they could have the Bill reprinted with all the Amendments embodied it would save the time of the House.

Mr. HIBBERT said, the suggestion was a good one, and he hoped the Committee would agree to it.

Sir WALTER B. BARTTELOT understood the Committee was to be taken, *pro formâ*, to-night?

Mr. WARTON said, he hoped sufficient time would be given to consider the Bill properly. When would the Bill, as amended, be considered?

MR. JESSE COLLINGS said, he proposed to put down the Bill for that day week.

Bill *reported;* to be *printed,* as amended [Bill 227]; *re-committed* for *Tuesday* next.

BOMBAY CIVIL FUND BILL.

Resolution [July 3] *reported,* and *agreed to*:—Bill *ordered* to be brought in by The Marquess of HARTINGTON and Lord RICHARD GROSVENOR.

Bill *presented,* and read the first time. [Bill 225.]

BEER ADULTERATION BILL—[BILL 82.]

(*Colonel Barne, Mr. Hicks, Mr. Storer.*)

SECOND READING.

Order for Second Reading read.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, 5th July, 1882.

MINUTES.]—SELECT COMMITTEE—*Report*—Public Accounts [No. 269].

PUBLIC BILLS—*Ordered*—Weights and Measures Act (1878) Amendment *.

Second Reading—Agricultural Tenants' Compensation * [26]; Agricultural Tenants' Compensation (No. 2) * [80]; Labourers' Cottages and Allotments (Ireland) * [212].

Committee—Arrears of Rent (Ireland) (*re-comm.*) [213], *debate adjourned.*

Considered as amended—Bills of Exchange * [211].

Third Reading—Metropolitan Board of Works (Money) * [176]; Baths and Washhouses Acts Amendment * [201], and *passed.*

Withdrawn—Parish Registers * [132].

QUESTIONS.

ARREARS OF RENT (IRELAND) BILL—CONFIDENTIAL REPORTS.

MR. A. GREY asked the First Lord of the Treasury, Whether he will consent to lay upon the Table of the House the Reports of the Local Government Inspectors, and the Constabulary Returns referred to in sections 11, 13, and 16 of the Treasury Minute on Arrears of Rent in Ireland, dated the 26th day of June 1882?

MR. GLADSTONE: Sir, it will not be in my power to present the Papers to which the hon. Member refers, because, in truth, they are most strictly in the nature of communications between the responsible head of a Department and his subordinate officers, and all confidence in the proceedings of those subordinate officers would be destroyed if such Papers were produced, and, moreover, they could not in any case be produced without the consent of each person connected with them, which would require a great deal of time to obtain; and, further, they contain many references to individual cases for the purpose of supporting the general statement, and these Reports of individual cases could not possibly be given. I think I may say I have carried the principle of communication to the House very much further than is usual in connection with confidential statements.

ARREARS OF RENT (IRELAND) BILL—TENANTS' INTEREST IN HOLDING AN AVAILABLE ASSET.

MR. HENEAGE asked the First Lord of the Treasury, Whether the interest which a tenant may have in his holding is to be taken into consideration as an available asset by the Land Commission in determining the ability or inability of the tenant to discharge such antecedent arrears of rent, or any portion of them, before an order is made for the payment of any money under the Arrears of Rent (Ireland) Bill?

MR. GLADSTONE: With respect to this matter, if my hon. Friend will allow me, I will say a word on this subject in moving the Committee on the Bill. Perhaps that is the most convenient way of dealing with it.

EGYPT—THE ARMAMENTS AT ALEXANDRIA.

SIR R. ASSHETON CROSS: I wish to put a Question to the Under Secretary of State for Foreign Affairs, of which I have given him private Notice. The telegrams which have been received this morning with regard to the state of affairs in Egypt are so alarming that I wish to repeat the Question which was put to the hon. Baronet the other day by my hon. Friend behind me. My hon. Friend then asked whether it was true that, notwithstanding the remonstrance addressed by the British Admiral respecting the erection of certain earthworks at Alexandria, those earthworks are still being rapidly pushed forward, and heavy guns are being mounted thereon commanding the harbour; and, if so, what steps the Government are taking in consequence?

Sir CHARLES W. DILKE: Sir, in answer to the Question of the right hon. Gentleman, I would remind him that my hon. Friend the Secretary to the Admiralty yesterday declined to give any information on this subject; and as I have not been able to take Lord Northbrook's opinion as to what has occurred, I should not like to make any statement on the subject, except to say this, which I can properly say without consultation with him, that further instructions have been given to the Admiral sufficient to meet every contingency.

Mr. O'KELLY: I should like to know, Sir, what right the British Admiral has to prevent these earthworks from being erected and armed?

PARLIAMENT—PRIVILEGE—SUSPENSION OF IRISH MEMBERS (SATURDAY, JULY 1).

Mr. CALLAN: I beg to put a Question to the Chairman of Committees, of which I have given him private Notice, in reference to my Question of Monday last. I then asked him—Whether the information contained in the semi-editorial paragraphs in the "Observer" and "Standard" newspapers, to the effect that in suspending the Irish Members on Saturday the Chairman was actuated by considerations of their conduct not merely through the 19 hours of that Sitting, but during the 23 days during which the Committee were engaged in considering the Prevention of Crime Bill, was communicated by him? when he stated in reply that to neither of the papers mentioned, nor to any of the reporters, as far as he knew, had he communicated such information. I have now to ask the right hon. Gentleman, Whether at the time he gave that answer he had any knowledge of the circumstance that a communication alleged to be in his own handwriting, and marked "private and confidential," had been addressed to the Press?—[*Cries of* "Order!"]

Mr. SPEAKER: I must ask the hon. Member to state from what source he makes these observations to the House. He is reading, I believe, an article from some newspaper?

Mr. CALLAN: I am asking a Question based on information received by me after the House had risen last night.

Mr. SPEAKER: The hon. Member is reading from an article in a newspaper.

Mr. CALLAN: No, no, Sir; they are my own words only. I am asking the right hon. Gentleman, Whether, at the time he gave that answer, he had any knowledge of the circumstance that a communication, alleged to be in his own handwriting, marked "private and confidential," had been communicated to the Press, to any Press agency, or to any reporters in the Gallery, containing substantially the same information as that which appeared in the paragraphs that appeared in *The Observer* and *The Standard*?

Mr. LYON PLAYFAIR: The hon. Member for Louth asked me, at 5 o'clock on Monday, whether I had communicated paragraphs to *The Observer* and *Standard*, and I said that I had not directly nor indirectly communicated with those papers, nor, as far as I knew, with any of the reporters. At 11 o'clock the same evening the London manager of *The Scotsman*, to whom I had written a note marked "private and confidential," told me that he had shown my note to several gentlemen in the Gallery. That was the first time I heard of it. In that note I simply repeated what I stated to the Committee when Naming the Members—that the Naming of the Members was for a combination to obstruct, continued for some time.

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—THE RULES OF DEBATE.

Mr. SEXTON: I wish to put a Question to you, Sir, upon a point of Order. Yesterday you laid upon the Table certain Rules which had been framed in accordance with the Resolution of the House, that the state of Public Business was Urgent. What I wish to know is, whether, until the counter-statement has been made that the state of Public Business is no longer Urgent, the Rules of Urgency will still be in operation?

Mr. SPEAKER: If, in the course of my duty, I should think it right to state, in pursuance of the Resolution, that the state of Public Business is no longer

Urgent, then those Rules will cease to take effect.

Sir R. ASSHETON CROSS: It is not quite clear; but I apprehend that the Rules of Urgency only apply to the particular days on which the Bill with regard to which the Resolution was passed is down for consideration.

Mr. SPEAKER: The right hon. Gentleman has correctly stated the effect of the Rules. At the same time, I think it right to state that the House has committed to me very large powers in order to advance the Bill declared Urgent; and that if these Rules now laid upon the Table are not sufficient for the purpose, my power to frame further Rules is by no means exhausted.

Mr. JOSEPH COWEN: There is some misunderstanding, Sir, as to the application of the Rules of Urgency. Some hon. Gentlemen do not seem to know whether it applies to the Prevention of Crime Bill only, or to the general proceedings of the House. With the view of giving point to my inquiry, may I ask whether, if any hon. Member moved the adjournment of the House to elicit information with respect to Egypt, he would be permitted to do so? Under Urgency they could not do so; but would they be able to do so under the present Rules?

Mr. SPEAKER: I can only say that, no doubt, it would be open to any hon. Member on this day to move the adjournment of the House, because the Bill for which Urgency has been voted does not appear in the Orders of the Day. I should not, therefore, feel justified in resisting a Motion of that kind, unless it appeared to me to be made for the purpose of stopping the Bill which the House has declared Urgent.

THE IRISH LAND COMMISSION—THE LAND COURTS RETURNS.

Mr. CHAPLIN asked Mr. Attorney General for Ireland, Why, in the Returns of the proceedings of the Land Courts, the number of cases settled out of Court had not been stated in the late Returns, as they were in some of the former ones; and, could he state to the House, out of the whole number of cases settled, how many of those were settled by agreement out of Court? If the right hon. and learned Gentleman was not in a position to answer the Question he would not press it.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, he had no information on the subject, but inquiries would be made. He had nothing to do with the matter.

EVICTIONS (IRELAND)—THE RETURN.

Mr. GIBSON asked why, from the Return just issued, showing the number of cases of eviction in Ireland during November and December, 1881, and January, February, and March, 1882, for non-payment of rent, the number of those re-admitted as caretakers had not been given?

Mr. DILLON asked whether it was not a well-known practice in Ireland to admit a great number of evicted tenants as caretakers, and then evict them at the end of six months, as a matter of course, at the ordinary Petty Sessions?

Mr. MACFARLANE asked whether it was not a fact that tenants taking the position of caretakers forfeited the right of redemption?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, the object of the Return was to show the tenants whose period of redemption was still running, and who would be entitled, as a matter of right and law, on payment of the amount for which they had been evicted, to be reinstated as tenants. To insert in the Returns the number of those re-admitted as caretakers would be inapplicable to that object, as caretakers were merely the servants of the owners. The fact of their being caretakers did not affect their position as tenants, or their power to redeem within the time specified, and he was not at all prepared to say that landlords always—or even as a rule—evicted the caretakers at the end of six months.

ORDER OF THE DAY.

* * *

ARREARS OF RENT (IRELAND) (*re-committed*) BILL.—[Bill 213.]

(*Mr. Gladstone, Mr. Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE.

Order for Committee read.

Mr. GLADSTONE: I have to move, Sir, that you do now leave the Chair, and in doing so I shall say a very few words upon one or two points only, having already sufficiently explained the general objects of the Bill, and believing myself that the matter directly referable to it, although it is an important matter, lies within a limited compass. In the first place, I wish to say a word with regard to the financial calculations that have been supplied to the House in order to assist it in forming a judgment on the Bill. These financial calculations have been framed on a basis on which we have endeavoured to meet the necessary uncertainty of the case. It is impossible to contend that estimates, properly so called, are applicable to such a subject, the *data* not being sufficiently definite or clear. But in all cases where that can be held to apply the proper course is to meet the difficulty with great caution and great moderation as to the statement of results, and by taking care that the provision which is to be made shall be, so far as human judgment can provide, sufficient to meet the circumstances of the case. In the Memorandum I have submitted to the Treasury, with respect to the probable demand for arrears, I have stated that I am justified in expecting that a sum of £2,000,000 will satisfy the obligations to be incurred. But, although I have made that statement, I do not think it would be right that Parliament should wholly exclude from view the possibility of the demand extending beyond that sum; and, consequently, I would say that I should consider it my duty, before proceeding upon the estimate of the yield of the Church Surplus Fund as it has been given to the House —namely, £2,000,000—I should deem it my duty—not because I expect it will be required, but as applying that principle of caution of which I have spoken —to make provision which will enable us to meet a charge of £500,000 further from the Consolidated Fund. I need not trouble the House by going back to former cases to illustrate the principle upon which this proceeding would be founded. It is well known that in many cases where the best judgments have been exercised, they have failed to make an accurate estimate, owing to the uncertainty of the facts. One very notorious case was that of the Succession Duty Bill, where the only persons almost who professed to be able to form an accurate and careful judgment in the Revenue Department declared they could not do it. The members of both branches of the Legal Profession, and those not light-minded or inconsiderable men, but very able and competent lawyers declared, founding themselves upon their experience, that the yield of that duty would be certainly not less than £4,000,000 a-year, whereas the yield of that duty has never, down to the present time, in a period of 30 years, nearly reached £2,000,000; and the estimate of £2,000,000 which was taken by the Revenue Department, and which was positively jeered at by the members of the Profession, who thought themselves better informed, proved to be greatly in excess of the actual yield for a very large number of years, and is still largely in excess of the actual yield. The next point is the question of the hon. Member for Great Grimsby (Mr. Heneage) which appears on the Paper. It is—

> "Whether the interest which a tenant may have in his holding is to be taken into consideration as an available asset by the Land Commission in determining the ability or inability of the tenant to discharge such antecedent arrears of rent, or any portion of them, before an order is made for the payment of any money under the Arrears of Rent (Ireland) Bill?"

That, I think, is eminently a question for consideration and discussion in Committee. It is a question of undoubted importance, and we shall have to consider whether it is possible for the House to insert words which would serve as directions to the Judges. By the Judges, of course, I mean those who would, under the Bill, be intrusted with the office of recognizing and establishing the fact of inability, so far as to qualify the tenant for obtaining the benefits of the Bill. At present, Sir, I can only give my opinion and that of my Colleagues on the subject in a general form. I should say that it is extremely difficult to lay down a general rule upon a question which must be left to the good sense of those who administer the Act. On the one hand, it would be absurd to say that the total value, or estimated value, of a man's tenant right, which may vary from year to year, particularly in the case of very small holdings, shall be considered as a safe asset for this purpose, and be established in this sense, that he should never be considered to have inability until the entire estimated amount of that tenant right was swallowed up by the charge laid upon him. That extreme, I think, would be entirely in contravention of the spirit of the Act. On the other hand, I think it would be likewise unreasonable to say that no charge should be ever laid upon the tenant right of the tenant. I think it would be a fair thing to expect that if it were a fact that the tenant right could be charged without crippling the means of the man for fairly managing his holding, then it fairly might be held and required as a condition that it should be laid before inability was taken into account; but the extent to which that process should go, I think, would be a matter only to be determined by the skill and the good sense of the presiding officer in the particular case. I do not wish to give a positive opinion on the question whether words should be introduced in the Bill for the purpose of serving as a general direction. Of course, any inference that could be drawn from my words, or the words of the promoters of the Bill, would not be an authority to justify action under the Bill; but the action of the Judges must depend upon the direction which they received from the Act of Parliament itself. The third point is the question of time in reference to this Bill. I venture to say that, urgent as is the question of time with respect to the Prevention of Crime Bill, it is hardly less urgent in regard to this one. It is equally urgent to both parties who are directly interested. If I look to the case of the tenant, not only is the exposure to liability for eviction, in multitudes of instances, prolonged so long as this question of arrears remains unsettled in multitudes of cases where the Bill should afford a means of establishing on a solid footing the relation between the landlord and the tenant, but likewise the rights of the tenant are in course of ebbing away from day to day, many families every day seeing the expiration of the six months which limit their equity of redemption, and losing, therefore, all power and all hope of maintaining their rights and enjoying the benefits of this Bill. That is, I think, a most important and governing consideration. Nor is that part of the question limited to the interest of the smaller tenantry and the feeling we ought to entertain for them, because I cannot doubt that it has likewise a most important connection with the peace of Ireland; and for the peace and security and order of Ireland there is nothing more necessary than a speedy settlement of the question of arrears. But I am bound to say that I cannot justly exclude from this view of the case —I mean with reference to the question of time—the position of the landlord. In a letter of Lord Clanricarde—which many hon. Gentlemen have, no doubt, read—to the Editor of *The Times*, he quotes, on the authority of a gentleman whose career was closed by so deplorable an incident and so wicked a crime, a declaration of that gentleman of great weight, because applicable to a very large estate with a very large number of tenants in that portion of Ireland which presents the scene where the Arrears Bill is intended to operate, and would undoubtedly operate most largely. That declaration is that "the Arrears Bill has completely paralyzed the payment of rents." I have no doubt that a Bill of this kind must have a tendency to check the payment of rents in Ireland. I deplore that exceedingly. By every lawful and honourable means our desire is to accelerate the settlement of every open question between the landlords and tenants of Ireland. There may be those who think we were wrong to introduce this Bill. I can only say we are sensible of what strong arguments on general policy might be introduced in favour of that proposition. I do not question that for a moment, nor do I enter upon those much stronger arguments which led us to do so. It is done and cannot be recalled. This House will never undertake the responsibility, I am perfectly certain, of rejecting a Bill of this character. It may or may not approve the method adopted; it may shirk that amendment if it is not required; but I am satisfied that the vast majority of this House will be as conscious as I am that a Bill of this kind requires to be passed with a view to all the highest and most elementary purposes of government in Ireland, and I venture to express a hope that, viewing those considerations, whatever is done—I do not, of course, suggest or desire that hon. Gentlemen should not clearly and adequately express all the opinions they entertain on this Bill—yet I do hope that in expressing those opinions, where the manner and conditions of expression differ so much, and where the Rules of the House allow of such a choice to individual Members as to the demands they may make upon its time, they will remember how enormously important it is for the interest of all parties and for the interest of social order in Ireland that promptitude in dealing with this Bill should, as as I think, be held to be of the first importance. The Government will act upon that principle, and we shall endeavour to make no undue demands in our expositions and explanations upon the time of the House, trusting that only a short period may elapse before this measure is passed into law.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gladstone.*)

Mr. CHAPLIN, in rising to move—

"That this House, while willing in case of emergency to grant money from public funds for purposes which it believes are for the best interests of Ireland, declines to proceed with a measure which imposes taxation for objects which, in its opinion, must tend to demoralize the people of that Country,"

said, that he was quite unable to share the sanguine hope of the Prime Minister that no Party in that House would take upon itself the responsibility of rejecting the measure before them in its present form. On the contrary, he (Mr. Chaplin) sincerely trusted that, unless the Bill was altered vitally in Committee, the House would on no account allow it to pass. The speech of the right hon. Gentleman, and especially the extreme uncertainty of his language with respect to the important question raised by the hon. Member for Grimsby (Mr. Heneage), had tended to strengthen rather than to diminish his opposition to the Bill. In moving the Amendment which stood in his name, he felt, in common with hon. Members, that he had some claim to the indulgence of the House. When he remembered the manner in which the right hon. Gentleman prematurely endeavoured to close the mouths not only of hon. Members like himself, but even of the Leaders of the Opposition, who were desirous of taking part in this discussion, he thought then, as he thought now, that that was a course of proceeding which was not calculated to further the progress of this measure, or to curtail and shorten in any way their discussion upon it. But he hoped he would not be thought guilty of undue presumption if he stated the reason why he, for one at all events, was unalterably opposed to the progress of the Bill. He opposed the measure upon a variety of grounds. He opposed it, in the first place, because they were asked to grant money from the public funds, which, despite the financial explanations which had been offered by the right hon. Gentleman, appeared to him to be an indefinite amount. The right hon. Gentleman admitted himself that there must be some uncertainty as to the claims; and if the right hon. Gentleman's calculations proved to be incorrect—and he must say he felt very considerable doubt on the subject—whatever the limit might be in the mind of the Government, it was perfectly obvious that the public funds would have to supply whatever deficiency might in the long run occur. In the second place, he objected to this measure as being founded upon the principle of compulsion. Unless they made full compensation to those persons who had the right to claim the arrears which were their due, they should be guilty, and by no means for the first time, he was afraid, in the present Administration, of deliberate confiscation. His third objection was, that even if the Bill were carried unaltered in its present form, it would not be effectual for its purpose, which was to stop evictions and restore tranquillity to Ireland. Fourthly, he objected to the measure because on three different occasions the right hon. Gentleman had already tried his hand at dealing with the question of Irish land, and on each of these occasions the state of Ireland had gone from bad to worse; and he, for one, would be no party to giving the right hon. Gentleman more facilities—he did not wish to speak disrespectfully, but he could find no other word which would express his meaning—to give him facilities to tinker for the fourth time with the fortunes of a country, for the present condition of which thousands of Englishmen and thousands of Irishmen considered he, in conjunction with his Colleagues, was responsible. Fifthly, he opposed the Bill because the Prime Minister and his Colleagues were alone responsible for the present deplorable state of things in Ireland; sixthly, because he regarded the measure as the most dangerous and demoralizing that had ever been introduced in that Assembly; seventhly, he must protest against it, because if public funds were to be advanced for purposes in Ireland, they ought not to be advanced for purposes which could only be a temporary prop of a system which was rotten to the core; and they ought not, on the other hand, to be devoted to purposes and objects which would not go to the very root of the evils in that country at the present time, which this Bill would not touch in the slightest degree. In the eighth place, if the Act of last year was a failure—a complete and admitted failure — and that was not denied—[Mr. GLADSTONE: I deny it.] Well, it was denied by the author of the measure; beyond the author of the measure he understood it was admitted to be a failure. [*Cries of* "No, no!"] Well, if it be not a failure, what was the meaning of the introduction of this Bill, and what was the meaning of those great changes and alterations which were to take place in the Act of 1881, but which the Prime Minister had, up to the present time, thought it desirable to conceal from the House? If that Act had been a failure, then the question ought not to be dealt with by legislation of a piecemeal character, such as was the Bill before the House; and before they proceeded further they had a right to know what were the proposals in regard to those alterations which were contemplated by the Government. As to the question of confiscation, what was it that the House would be guilty of? Why, they would take away the property of others which they were entitled to at the present time, and without giving them something for it. It was quite impossible to deny that the arrears due were just as much the property of the landlords at that moment as the coat upon the right hon. Gentleman's back was his property. Would anybody assert that the coats, hats, and watches of the hon. and right hon. Members were to be taken away, even for some great public purpose, without full compensation being given for the value of those articles? He contended that in forcing this measure upon landlords who were not desirous to avail themselves of it, and in taking away their right to the arrears without giving them compensation in full, Parliament would unquestionably be guilty of confiscation. It was unnecessary to add anything to what he had already said on the first and second heads of objection. Coming to the third ground of objection, that the Bill would be ineffectual even if passed in its present form, he would refer the House to Sub-section (*c*) of Clause 1. That formulated one of the conditions upon which alone this Act was to apply—namely, that the tenant was unable to discharge his antecedent arrears. Either that was to be a sham or a genuine provision. If it was to be a sham provision, and if advances were to be made from the State to tenants for payment of their arrears who had money, and were able to pay but would not, then nothing could exceed the wickedness of the proposition. But if, on the other hand, it was to be a genuine provision, then they ought to have from the Government some explanation more than that of the right hon. Gentleman as to how far the property in the farm which was vested in the tenant —namely, the tenant right, was or was not to be taken into consideration. The tenant would declare himself unable to pay. Now, let the House consider the case of a farm under the Ulster or some similar custom. Everybody knew that in many instances enormous sums—amounting, even for small farms, to several hundreds of pounds—were frequently given for the tenant right. Was it to be said that a tenant possessing such a property was unable to pay his rent until that property had been made available? And yet that was a question which was to be left undecided except by the Commissioners themselves, and from all that the right hon. Gentleman had told them, this thing might occur to a tenant whilst actually possessing a tenant right to the value of hundreds of pounds, who might have his arrears paid by the State out of the pockets of people all over the country, many of whom would be far less able to pay additional taxation than the tenant to pay his rent. But he foresaw a great many other difficulties if this was to be a genuine provision. If the Commissioners were really and truly to ascertain whether a tenant was able to pay his rent or not, all kinds of difficulties would ensue. Who was to decide? What evidence was to be taken? And how long would it take to determine? They all knew that the Land Courts were completely blocked already. They had far more to do at the present time than they could accomplish. He had made a calculation on the subject founded on the statistics furnished by the Government. He found that from October last to March 77,329 cases were lodged in the Court, and 8,606 cases were disposed of by the Sub-Commissioners. From April 17 to the end of May 1,955 more cases were settled, making a total of 10,561 cases settled in a period of eight months. About two-fifths of the cases so settled were arranged out of Court. The House would, therefore, perceive that if it had taken eight months to decide 10,000 cases, even with all the agreements out of Court, at the present rate of progress it would take four and a-half years to deal with the applications which had already been made to the Court. Then, how could it be contended, in the face of that state of things, that this Arrears Bill would be a reality, if in all cases arising under it the Commissioners would have to ascertain whether a tenant was able to pay his rent or not? He now came to the next ground of objection which he entertained to the measure. On three occasions the Prime Minister had tried his hand at dealing with the Irish Land Question and had failed altogether. What was the history of this land legislation? The House would remember the circumstances under which the Act of 1870 was passed. Very shortly after that "Message of Peace" was sent to Ireland the right hon. Gentleman had to ask for an urgent measure of repression. For many years afterwards Ireland remained under a Coercion Act, which only expired just after the right hon. Gentleman came back again into Office. That Act had hardly expired when the right hon. Gentleman found it urgently necessary to deal with the question of Irish land again. The right hon. Member for Bradford (Mr. W. E. Forster), then Chief Secretary to the Lord Lieutenant, came down to the House on one occasion and informed them that the Government had no intention of dealing with the question, and that it would be difficult and most unwise to meddle with the question of Irish land at all unless it could be dealt with thoroughly and effectually. A Royal Commission was then appointed to investigate the subject. Within a very few weeks after that declaration had been made the right hon. Gentleman introduced the Compensation for Disturbance Bill, which set going in Ireland the passions, inflamed and excited the minds of the people, and laid the foundation for the present deplorable state of things. Then there came in the following Session the "great measure" of last year, as it was called by the Government and its supporters. They all knew what wonderful things that measure was to accomplish. It was admitted by the Government that such principles were contained in the Bill that it could only be justified on the ground that the state of Ireland urgently called for and demanded it, and that it would restore tranquillity and peace to that country. In spite of these promises and protestations the House had been engaged for the greater part of this Session in passing another measure of coercion for Ireland immediately consequent upon the remedial measure of last year. Why was this? It was because the Government, in all their dealings with Ireland, had proceeded in a wrong direction from the outset. In the policy pursued for 10 or 12 years by the right hon. Gentleman all the difficulties which lay at the root of the evils of Ireland had been persistently neglected by him. Last year the Government had been warned of what was certain to happen directly their Land Bill became law. On the second reading of that Bill he predicted that the ink would not be dry which made judicial rent the law throughout the land before a new and determined agitation would arise in favour of paying no rent. He thought the "no rent" manifesto was a sufficient justification for the opinion he expressed at that time. With regard to the present Bill, if it were passed into law, it would be regarded only as a new measure of concession and conciliation to violence and agitation in Ireland. It would be treated as a mark and a symptom of weakness on the part of the Government; and though the Government might deny it, there would be thousands and millions of the people throughout the country who would continue to believe that this measure had been passed in pursuance of a compact with the prisoners in Kilmainham. His next reason for opposing the Bill was that he regarded it as probably the most dangerous and demoralizing measure that was ever introduced into that Assembly. A Gentleman, who was a Member of the present Administration, said, on the 21st of July last year, in a debate on the Arrears Clauses of the Land Act, in reference to what had fallen from his noble Friend the Member for Woodstock (Lord Randolph Churchill)—

> "The noble Lord has said that this is a demoralizing proposal. . . . It would, doubtless, be demoralizing, and very demoralizing, if we forced the parties to accept the proposal."—[3 *Hansard*, cclxiii. 1554.]

This was exactly what the Government were going to do. Well, that was the opinion of the late Chief Secretary, and the Prime Minister, sitting by his side, accepted and endorsed that distinct declaration of policy with regard to making anything in the nature of an Arrears Bill a compulsory measure. If that was a demoralizing proposition in 1881, what had since occurred to make it a proper measure to submit to Parliament in 1882? He now came to his seventh ground of opposition to this Bill. It was that if money from public funds was to be advanced at all, it ought not to be advanced for a purpose which could only be a temporary prop to a system which was rotten to the core. Again he fell back on the argument of the late Chief Secretary for Ireland, who said in debate on the 25th of April, 1881—

> "We have been forced to see what is the condition of some parts of Ireland, especially in the West, where, in some districts, there is an over-population to an extent, perhaps, that no Bill for the reform of land tenure can altogether meet. Many of these people are highly rented; but if they paid no rent at all, they could not live in decency."—[*Hansard*, cclx. 1168.]

If that was true, and it was endorsed at the time by the Prime Minister, how was it possible that the measure they had now introduced could effect any real or permanent amelioration in the condition of the people of Ireland? He had stated over and over again that the real source of all the difficulties and troubles in Ireland was the immense competition for the land, and this Bill would do nothing to remedy that state of things, but must tend rather to aggravate it. If, as he contended, the Land Act had been a failure, they a right to know, before they proceeded any further with the present measure, what were the remaining proposals which the Government had to submit to the House with regard to any alterations or Amendments respecting it. What was the Government policy with regard to Ireland? What was to be their future policy? It was patent to all hon. Members that up to the present time the Government had absolutely failed. Before he gave his sanction to a measure of this kind, demoralizing in itself and holding out no prospect of permanent benefit to Ireland, he wanted to know what the Government proposed to do besides. Not long ago he read a speech made by the President of the Board of Trade, who said of the Tories—"With them coercion is a policy; they have no other. With us it is only a hateful incident." With all respect to the President of the Board of Trade, he ventured to say that a more untrue and inaccurate statement was never made before by a distinguished Member of that Assembly. If he might take this opportunity of vindicating the Tory Party from a charge so monstrous, he could state exactly how the case stood with regard to coercion. Since the year 1832, 50 Coercion Bills had been passed, including that now before the House. The Liberal Party passed 39 of these, and the Tory Party passed only 11. Moreover, of those 11, 10 were in continuance or, as in 1875, in mitigation of previous Liberal Coercion Acts. The charge that the Tories had no policy with regard to Ireland was grossly unjust. When the state of Ireland became depressed and serious from bad seasons and bad harvests, under the Government of Lord Beaconsfield, the noble Lord immediately appointed a Royal Commission to inquire into the whole of the circumstances of that country. The Report of the Commission, the recommendations of which would be accepted by the Tory Party as a whole, stated first of all the causes of depression. They were inclemency of the seasons, failure of the potato crop, foreign competition, undue inflation of credit, and excessive competition for land, owing mainly to the fact that apart from the land there were few, if any, other means of subsistence for the population, which had led to serious abuses. The Commission pointed out the evils which arose from one source alone—the intense competition for land. These were unreasonable payments for tenant right, arbitrary increase of rents, the overcrowding of the population in certain districts, and the minute subdivision of farms; and for these evils they suggest certain remedies, including emigration, migration, and public works in Ireland. Yet it was said in the most audacious manner by the President of the Board of Trade that the Tory Party had no policy except coercion for Ireland. Personally he desired, if it were possible, to see manufactures re-established in Ireland, and some return to those great industries which were destroyed years ago by the selfishness of England. If we could do something by means of emigration, migration, public works, and the establishment of manufacturing industries, we should do ten thousand times more for the regeneration of that unhappy country than could be done by all the measures of coercion and conciliation passed by all the Liberal Governments in the world. Probably there was no one in the House more competent to express opinions with regard to the real condition of Ireland and the sources of that condition than the right hon. Member for Bradford (Mr. W. E. Forster), and on the 22nd of May he said—"It was only by emigration that these people (the cottiers of the West) could be improved." Do not let it be supposed that, in making these observations and in offering opposition to the Bill, he was wanting in sympathy with the people of Ireland; he would yield to no one in the sympathy he felt for that unhappy people; but because of that he could not sacrifice his principles or give his consent to a measure which he believed to be wrong in principle, and with regard to which he had not the smallest hope that it could or would effect any permanent amelioration in the condition of the people. In passing this measure, Parliament would do great injustice to some classes of people. In order to benefit Irish farmers, they were about to tax English farmers; and what was the relative position of the two? The Irish farmers had had two of the very best seasons ever known. The English farmers had suffered from a succession—five, six, or seven in number—of seasons such as, thank God, they could hardly recollect in the history of man; and yet, because the English farmers had struggled manfully to bear their difficulties, and had done their best to fulfil their contracts, and because, on the other hand, we saw in Ireland a state of things which was an absolute disgrace to any civilized country, therefore the English farmers and people were to be called upon to pay the debts of the people of Ireland, which, in a great number of cases, he was afraid, they were far better able to pay than the farmers of England. When he considered the results of the policy of the Prime Minister, when he remembered the principles which were contained in this Bill, and when he reflected on the consequences of teaching the Irish farmers that if they did not pay their rents they had only to commit outrages and murders and agitate to get their debts paid by Parliament, he felt that the House would do well to ponder the weighty words of one of the most respected of the Irish Members, the hon. Member for County Cork (Mr. Shaw), who, on the 22nd of May, said—

> "He acknowledged that the question was one of great difficulty, and when he sat down to consider it, he could not see how it could be touched at all; if they did touch it, he felt that they would be taking a course of the end of which they had no idea, and teaching the Irish people lessons which they had no right to teach them."—[3 *Hansard*, cclxix. 1298.]

He opposed this measure, not from the smallest want of sympathy with the people of Ireland; he protested against it, because he believed it to be the most dangerous and demoralizing measure that ever an English Minister submitted to the House of Commons. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing, in case of emergency, to grant money from public funds for purposes which it believes are for the best interests of Ireland, declines to proceed with a measure which imposes taxation for objects which, in its opinion, must tend to demoralize the people of that Country,"—(*Mr. Chaplin*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. ARTHUR ARNOLD said, he asked the indulgence of the House to make some observations in regard to the economic aspect of the question. The hon. Member (Mr. Chaplin) had attempted to prove that there would be necessity under this Bill to draw largely upon the public funds. He (Mr. Arthur Arnold) hardly thought that matter was one, so far as the question of principle was concerned, which it was important to deal with, because whether the funds necessary for the purposes of this Bill were drawn wholly from the Church Funds, or in part from the Consolidated Fund, was not really a great matter of principle, because the surplus of the

Irish Church Fund was entitled to be regarded as part of the Public Fund to the extent to which that Church Surplus Fund might be applied in relief of taxation. That he took to be the principle upon that matter which had been laid down by very important authorities on the subject of taxation. The hon. Member had gone on to say that the state of Ireland had passed from bad to worse under the care of Her Majesty's Government, and especially in connection with the measures proposed by the Prime Minister. He did not at all enter into the consideration of what would have been the condition of Ireland but for those measures, which had had so important an ameliorating effect. He said that the measure now before the House was dangerous and demoralizing in its tendency, and in the latter part of his speech he made an eloquent comparison between the condition of Irish and English tenants, and between the respective claims which they had upon the consideration of the State in regard to their arrears. No man in that House was entitled to speak with greater authority on the condition of English tenants than the hon. Member for Mid Lincolnshire (Mr. Chaplin). He had always shown much regard for their condition; but he (Mr. Arthur Arnold) would beg leave to point out to him that there was this essential and fundamental difference between the two cases. Knowing far less on the subject than hon. Members opposite, he was prepared to admit that the case of English tenants was one of painful embarrassment, as was also that of some landlords; but he would point out that there was this important difference between the two cases—that if they were to propose legislation of this sort with reference to English tenants, they could not maintain that which it was absolutely necessary to maintain in order to give this Bill a basis which recommended it to the support of the House—namely, that the circumstances which they proposed to relieve could not recur. That, from an economic point of view, was essential in all cases where it was proposed that the State should in any manner step in upon an occasion of this sort with pecuniary remedies. One of the conditions that must be established to justify that assistance on the part of the State was that the occasion for which the remedy was to be applied was absolutely unique, and that it could not by any possibility of circumstances recur. The hon. Member had gone on to say that the system to which the law was to be applied was rotten to the core. Well, he (Mr. Arthur Arnold) was not there to defend the system of landlordism in Ireland. [Mr. CHAPLIN: I said the system of small farms.] The hon. Member quoted a Member of the Government in support of his assertion that it was impossible under any circumstances that the tenants of small farms in Ireland could live upon their holdings. But one of the objects, he took it, of this measure was that, if the settlement of the arrears of rent could be arrived at, tenants might part with their holdings. ["No, no!"] He said one of the objects was that men should be placed in a position by which, where their holdings were so small that they could not possibly obtain a livelihood upon them, the owner of that small tenant right should be in a position to part with his holding if he chose, and make other use of the proceeds. The hon. Member (Mr. Chaplin) went on to ask by what law of justice could this Bill be applied to giving possession of property in tenant right to a tenant to the extent of many hundreds of pounds? Surely that was a very exaggerated statement with regard to the tenants of holdings not exceeding £30 of rent. The hon. Member quoted another Member of the Government to show that a proposal of this sort would be demoralizing if it were compulsory in reference to the Arrears Clauses of the Land Act of last year. The hon. Member left out of sight the important consideration that last year there was no proposition whatever that the State should give assistance. The compulsory nature of the proposal in the present Bill could not be severed from the fact that the State in this case gave compulsory aid, gave assistance, and in giving that assistance the State had a right to make terms with those to whom the assistance was given. Therefore, there was no analogy whatever between the present circumstances of the House and those in which the House was placed last year upon the Irish Land Law Bill to which the hon. Member had made reference.

MR. CHAPLIN: The quotation I made was this—the demoralization consisted, not in the source from which compensation came, but in the fact of forcing it on the two contracting parties by an Act of Parliament.

Mr. ARTHUR ARNOLD said, the hon. Gentleman (Mr. Chaplin) had quoted a Member of the Government in support of his assertion that the clause in the Irish Land Law Bill of last year had a precise analogy with the present circumstances. There was no analogy whatever, because, in the present circumstances, the State was giving money, and as a reason why the State should give that money, the State made for itself certain terms. One of the prime considerations which should affect the gift of money by the State upon occasions of this sort was whether the effect of it would be to operate upon those on whom it was bestowed as a tonic or as a sedative. If it could be shown to act as a sedative instead of stimulating them to further exertion, then it would be pernicious; but if it could be shown that the effect would be to place them in a position before the law and in their holdings which would encourage them to further exertion, then it was justifiable. The House last year passed an important Act of Parliament to which this was a necessary supplement. It was impossible for a great number of poor tenants in Ireland to be placed in a position to enjoy or to possess the advantages of the Land Act of last Session, unless they had the assistance which it was proposed to give them under this Act. Another condition for consideration was that the circumstances should be those under which the requirement for assistance could not recur. He laid stress on this point, because the circumstances under which it was now proposed to relieve the tenants in Ireland could not recur, for we could not have a position analogous to that in which the House found itself in connection with the Land Act of last year. There was a peculiar reason why the Church Surplus should be devoted to this purpose. When the Irish Church Bill was introduced by the Prime Minister, it contained a provision, which subsequently was dropped, that the surplus to be derived from disestablishment and disendowment of that Church should be appropriated mainly "to the relief of unavoidable calamity and distress." [Mr. Gladstone: Hear, hear! It passed this House.] He asked the House, therefore, to bear in mind how very strictly those words had application to the Bill now under consideration. The first remarks he had the honour of offering in the House were in connection with a proposal to advance £1,500,000 sterling to the landlords of Ireland from the Church Surplus. That money was advanced wrongfully, as he always held, under conditions really analogous to gift, because the interest to be paid upon it was only at the rate of 1 per cent. He had always considered that that was an improper bestowal of the Irish Church Surplus, and in direct contradiction to the proposition which passed the House of Commons that the Surplus was to be appropriated mainly to the relieving of unavoidable calamity and distress. If that money had not been advanced to the Irish landlords, and if the right hon. Member for Bradford (Mr. W. E. Forster) had been strong enough and stiff enough in his objection against further advances of that money, there would be no question now before the House as to the possibility of the Church Surplus not being sufficient to meet the claims of unavoidable suffering and calamity in the West of Ireland. Lord Beaconsfield told the House that whatever was given for the maintenance of paupers and lunatics, or for any object of that kind, the greater part of it would go to the proprietors of the soil, whatever hocus-pocus they might be told to the contrary. The greater part of the Surplus had found its way in that direction already. A large part of the sum now proposed to be devoted to the relief of unavoidable calamity and distress would also go in that direction. He did not object to that, for no one sympathized more than he did with the sufferings of the landlord class in Ireland. He denied that this measure was inconsistent with what were called the principles of political economy. Those principles were concentrated in one law—namely, that we should do nothing which was contrary to the production of wealth. This money would tend to the production of wealth in Ireland, because it would bring to many poor and deserving homes the possibility of a happier and a brighter future. It would not give to any man in Ireland a claim to any recurring gift from the national bounty, because it was impossible that the circumstances under which this Bill was asked for in connection with the Irish Land Act could again be brought under consideration; and he had not the least hesitation or reserve in giving it his earnest and unswerving support.

MR. E. W. HARCOURT said, he could not enter into the general question of the policy of this Bill. That policy was only excusable on the grounds of the direst necessity. *Pace* the hon. Member for Salford, it violated every law of political economy, and set aside the question of the improvement of land in Ireland. The House, however, was so committed to the Bill that it would be of no use to argue the general principle. There was another point which was apart altogether from the general question, and that part so materially affected the interests of the taxpayers in England, that he thought he should be failing in his duty, as representing a large population of ratepayers in an English county, if he were to abstain from protesting against the provision which was contained in the 9th clause of the Arrears of Rent (Ireland) Bill, which saddled the Consolidated Fund with the payment of arrears, which had been mainly owing to the work of a Society which the Government itself had declared to be illegal. When he found that the Prime Minister declared he was unable to give relief to the English ratepayer in a case which he himself had acknowledged to be a matter calling for immediate relief, and when he looked at the paltry relief which was offered, and which was made to be dependent uponr aising an additional tax, which the Prime Minister stated was the only fund available, although that tax was inapposite and objectionable, then he said that English Representatives had a right to stand up, and it was their duty to stand up, and protest against the unequal justice that was done them. He should like very much to know what was to bring the grievance of the English ratepayer within the region of practical politics? He knew the right hon. Gentleman professed a desire to do justice to the particular class of ratepayers whom he represented. Hitherto the relief offered had not been of the nature that was asked; and, therefore, he feared, however well-intentioned, it had not met with the gratitude which, perhaps, the right hon. Gentleman expected, and now they were told that the Irish defaulting tenant was to be relieved at the expense of the English people, and that the ratepayers in England were to be contented to wait for some grand measure which existed in the millennium of some far-distant legislation. It struck him that the English ratepayer was too patient, and that his docility acted greatly to his disadvantage. Because he suffered in silence and with courage, he was to be allowed to suffer still, and his honesty and his courage were the cause of his being neglected. He (Mr. Harcourt) thought the country would not fail to take the lesson to heart. Where justice was wanting Government was discredited. The withholding of justice in the case of the English ratepayer was flagrant, and he thought he should be no false prophet in predicting that the present action of the Government would not fail to bring forth fruit not to their liking.

COLONEL COLTHURST said, he would have much preferred that the plan adopted for relieving the Irish tenants had been by the system of loan instead of gift, even though the loans had borne no interest. It would have had the advantage of doing away at once with any question of the ability or inability of the tenant to pay, and the expediency of reckoning the tenant right in dealing with arrears under the system of aid proposed by the Bill. As it was, those subjects would give rise to a great deal of dissatisfaction. It would be very difficult to prove inability to pay, and if inquiries were pushed beyond a certain point great dissatisfaction must ensue. He regretted that the Prime Minister had given any countenance to the idea that the value of the tenant right was to be estimated in connection with this measure. The entire defence of this measure was that it would give to tenants, now hopelessly involved, a fresh start; but though it particularly relieved them of their debt to the landlords, it left them exposed to their other creditors, the shopkeeper and the money-lender. How would they be able to meet them? They would have been able to do so by the security afforded by their tenant right; but if it were estimated as part of their assets, or if it were saddled with any prospective charge, they would not be able to meet their creditors, and would be prevented from obtaining the advantages which it was the object of the Bill to afford them. All this would have been avoided by the system of loans. At the same time, as the principle of gift had been adopted by Her Majesty's Government after full consideration, it would be perfectly useless —he would say more, it would be perfectly mischievous—to attempt to re-introduce into this Bill at this stage the question of loan. But he ventured to appeal to the Government to reconsider the limitation they had laid down in the Bill, by which tenants with holdings over £30 in value would be excluded from its benefits. Probably few tenants rated over £30 could be able to prove their inability to pay; but still, as in the case of the leaseholders, a residuum of discontent and dissatisfaction would be left. In his opinion, it was a great pity that the Church Surplus should have been taken for the purposes of this measure. It ought to have been left for the general purposes of education, by which all creeds would benefit, and which purposes would now be entirely frustrated. He should like to have some information as to the mode in which "hanging gale" was to be dealt with. According to the Bill, those landlords and tenants whose relations with each other were based upon the principle of "hanging gale" would suffer very great loss. "Hanging gale" was not allowed to be taken into consideration at all. He believed that it was of the greatest importance to extinguish "hanging gale," and provision should be made by the Bill for its extinction. Whatever objections were entertained to the measure, he hoped the considerations put forward by the Prime Minister would have great weight, and that no time would be lost in passing it into law.

Sir WALTER B. BARTTELOT said, he thought that no one who had carefully paid attention to the debate which had taken place the other day on the second reading of the Bill could fail to feel that this was a question which deserved the most serious consideration of every Member of the House. He could also confidently state, without any fear of contradiction, that the Prime Minister was the man who was mainly responsible for its introduction. With what views and intentions he might have introduced the Bill he (Sir Walter B. Barttelot) would not stop further to inquire than to say that it was one of those endeavours to conciliate those who had been most active in rebellion and sedition in Ireland within the last few years. If he made use of strong expressions, it was because he believed he was stating that which was true. It had been said that, because the Prime Minister, in the responsible position which he occupied, had introduced this measure, that therefore it ought to be passed, and that if it were not passed, matters would prove to be a great deal worse than they were at this moment. He (Sir Walter B. Barttelot) was one of those who absolutely controverted and denied that statement, because he firmly believed that there were men in Ireland at present who looked with the deepest pain and regret upon a measure which had been introduced to benefit men who, being perfectly competent and able, had failed to pay their rents and just debts. This had been a source of the gravest danger to Ireland, and if this practice was to be pursued, he might fairly ask how and why it was that the Government had introduced this measure at this particular time? He thought, whilst on this point, he might recall the attention of the House to a statement made by the Prime Minister himself a short time ago. At the moment that was made he (Sir Walter B. Barttelot) could not understand the object of the Premier in making it, because it was during the discussion of the Rules and Procedure of the House. The right hon. Gentleman then stated that he had in his possession a letter from a friend in the County Mayo, for whose accuracy he could answer, in which he said that he had not called upon one of his tenants to pay up his arrears of rent, because, as he (Sir Walter B. Barttelot) understood the right hon. Gentleman, he knew perfectly well that they were not able to do so. [Mr. Gladstone dissented.] He asked the right hon. Gentleman if he solemnly denied that three or four days ago he did not make that statement, although it certainly could not be said to be *apropos* to any Business then going on. At the time he (Sir Walter B. Barttelot) could not understand its relevance, beyond showing that there were landlords in Ireland who had not carried out those provisions regarding which, a very short time before, the right hon. Gentleman had stated they had failed in. Now, let him supplement this by another statement as to County Mayo. He knew of an estate in Mayo of 10,000 acres, which came to its present possessor not from any wish of his own, but simply because there was £10,000 of English money on mortgage, and the owners of the estate said—"Take it, as we cannot pay the interest." On these 10,000 acres there were 211 tenants. Of these, 23 tenants were under a rental of £1, 58 under £2, 61 under £3, 34 under £4, 13 under £5, 11 under £6, two under £7, two under £8, two under £9, one under £10, one under £14, one under £19, one under £22, and one under £35. Up to the year 1880 there was no arrears of rent whatever on this estate. The tenants had paid the whole of their rents at the proper time. They possessed many advantages as compared with other estates, one particularly, that of being able to turn their cattle out upon the waste lands, at a rate of 5*s.* per year for every head of cattle, and 4*d.* per head for sheep. No complaints were ever made as to the amount of their rents. On the contrary, they expressed themselves as satisfied, and never for one moment declined to pay. When the Land League agitation, however, was started in their midst, from that moment they ceased to pay a single farthing. There was a further point, however, and one to which he particularly invited the attention of the Prime Minister—it was this, that in addition to refusing to pay for their cattle and sheep being allowed to graze on the waste lands, some 8,500 acres in extent, they now claimed a right to them, so that when the goodwill of their farms came to be estimated this would be included. He could give the right hon. Gentleman the name of the estate, and of the person who owned it. He believed he had made a most accurate statement with regard to it.

MR. W. E. FORSTER said, that he had not exactly gathered the dates when the rents were last paid.

SIR WALTER B. BARTTELOT said, that they were paid up to 1880.

MR. W. E. FORSTER asked whether it was in November or May?

SIR WALTER B. BARTTELOT said, he had not the precise dates; but, supposing he was absolutely correct in his statement, here were men who had been able and willing to pay their rents. How was the Government going to prove that these men had been or had not been able to pay their rents? He would far rather that the rents of the poor cottier tenants in the West of Ireland should be given to them in full, than have a Bill of this kind brought in, which favoured men who were as able as any man in that House to pay the just demands upon them. But let him travel into the county of the hon. Member for Tipperary (Mr. Dillon), who, he thought, would not for a moment attempt to deny the truth of the statement he was about to make. The Golden Vale was well known to every man who had been on the banks of the Suir. The Golden Vale was as fine land as any man could wish. He believed land there was rated for the poor rates at from 50*s.* to 54*s.* an acre. A great deal of the land was worth £3 an acre. He would not mention names, but there were two estates on which the rents had been paid. The landlords had been most moderate. They had done everything they could for their tenants, and they had good tenants, who had set an example to the whole of Ireland. There was one man especially, who had a model farm, who had been most charitable in every way, and who had set an example to all round that district. A meeting was held, at which it was agreed that the liberal offer of the landlord should be accepted and the rents paid. What happened? The moment that was known a party of "Moonlighters" fired into his house; but he was highly respected, and they fired, not with the intention of taking his life, but for the purpose of intimidating him. Like an honest man not shrinking from his duty he with others paid his rent. What happened? Six weeks after the first shot had been fired, and immediately after his rent had been paid after warning, the "Moonlighters" again visited him, and burned his house to the ground. He would frankly ask the hon. Member for Tipperary (Mr. Dillon), or any other Member of the House, whether this was a right course to pursue, and whether those who instigated such work had not really caused all the demoralization and the rebellion so rife in Ireland? He had information respecting many more cases of the same kind, in which the payment of rent had been immediately stopped on the behest of the Land League; and now what were they asked to do? They were asked to condone all those offences and crimes, and to assist men who could have paid their landlord if they chose, whilst others who had suffered for what they knew to be right, and sought to perform their duty, were to be passed by without one word of consideration. This was truly a very serious state of things, and he ventured to think that matters in Ireland would not be remedied by this proposal of Her Majesty's Government. On the contrary, matters would be very much aggravated, in his humble judgment. As regarded the actual resources of Ireland, he had referred to a work, the authenticity of which every Irish Member would, he presumed, acknowledge. He referred to *Thoms' Almanac,* which gave a summary of nearly everything that occurred in Ireland; and looking at the condition of the prosperity of the country, as stated in the book, he found that two-thirds—he put the proportions as low as possible—of Ireland, at this moment, was in a far more flourishing and prosperous condition than the great bulk of agriculturists in England. But he would go a step further and touch upon a point in which he knew Irish Members would not agree with him. He meant the condition of portions of Mayo, Galway, Kerry, Clare, and County Cork. These, so long as he had known Ireland, were in precisely the same position as they were 30, and, he might say, 40, 50, or even 100 years ago. It was a disgrace—he did not say it of one Government more than another—that because they were afraid of facing the opinions of a certain number of Irish Representatives they should have pandered to their views; and in face of the difficulties which must arise on every occasion, starvation must prevail in these Western counties, because the people were absolutely unable to live upon the produce of the land. It was stated the other day by an hon. Member—whether the hon. Member for Sligo (Mr. Sexton) or the hon. Member for Tipperary (Mr. Dillon) he could not say—that there were between 80,000 and 100,000 tenants who paid rentals of less than £4 each. He believed that that was under the actual state of things. Let them boldly take the Church Surplus and spend it in some such legitimate way as emigration. Let them help to emigrate, as far as they could, the families of a barony, with their clergyman, and set them down in some place where they could earn an honest and good living, taking care to provide them with means to start with. Until they had found out some way of doing this, they might pay their arrears, but the very next thing they would find would be that they were in the same hopeless condition. He was convinced from practical experience that until they had got rid of that blot in Ireland they would never have peace in that unhappy country. This Bill was introduced with a very suspicious connection with the release of certain Gentlemen from prison in Ireland, and it was one of the principal facts of the programme of the hon. Member for the City of Cork (Mr. Parnell), which was at once taken up by the Prime Minister, and which he was endeavouring, as far as he was able, to carry out. If the right hon. Gentleman the President of the Board of Trade had been in his place he should have asked him what were the contents of that other letter which they had heard about, and of which an explanation had been withheld in regard to it. He felt justified in concluding that it contained a stronger demand that this Bill should be carried than was made by the first letter. He would remind the Prime Minister that in a memorable speech in 1833, when disturbances something like the present were going on in Ireland, Sir Robert Peel said there had been much declamation about healing measures and large concessions, the nature of which had not been specified; but though they might conciliate powerful parties by concessions, Parliament would gain nothing by giving way to popular clamour, or yielding one single point beyond that which their sense of justice might dictate. That great statesman, from whom the Prime Minister learnt the finance for which he stood alone and supreme, went on to say that if Ministers consented to confiscation by any species of compromise, or established principles leading to future confiscations, they might be cheered by many around them; but not only would they fail to provide additional security for life and peace and property, but so far from satisfying the deluded people of Ireland, they would only whet their appetites for further concessions. He had always felt that when the law was broken the first thing to do was to take care by using a strong arm that the law was respected. That was the way to make Ireland contented, prosperous, and happy. By encouraging the feeling that all classes were protected by the law, they would find that they had gained far more than by pandering to sedition and rebellion by passing such a measure as the Government were now asking the House to go into Committee upon.

MR. DILLON said, that he did not intend to make any remarks in the course of the discussion were it not for the almost personal charges made against him by the hon. and gallant Gentleman (Sir Walter B. Barttelot). That hon. and gallant Gentleman said that owing to the influence of the Land League a tenant in a part of the county of Tipperary who had the honesty to pay his rent had his house fired into and afterwards burnt down. He had heard nothing of the circumstance, and deeply regretted to hear of it then. The hon. Baronet should remember that during the time the Land League agitation continued, and whilst himself and his Colleagues were at liberty, no house was destroyed. When the farm was burnt as described, it was whilst he was in Kilmainham. But surely they could not be charged with having had influence in bringing about that, when at the time they were in Kilmainham. It was perfectly true, and he knew it of his own knowledge, that the landlords in that particular district had throughout shown the utmost consideration for their tenants, whose appreciation of this was shown in their earnest desire to pay their rent; but the hon. and gallant Baronet had not put before the House the whole of the facts, for he had omitted to state what was a matter of great importance, one for which he and his hon. Friends were justly entitled to take great credit, that throughout all the agitation of the Land League no attempt was made to influence those tenants not to pay their rents. He knew well the estates which the hon. and gallant Gentleman referred to. The tenantry were entirely in their hands and under their influence, so much so that he could confidently assert that no one in opposition to himself would get a single vote. Having that influence, then, it was not even alleged that they had attempted to interfere with the tenants whose landlords had won their respect by their considerate and consistent course of conduct towards them. The difficulty arose only when the hon. Member for the City of Cork (Mr. Parnell) was arrested. That difficulty was not in consequence of the Land League, but was due to the repeated blunders of the late Irish Administration, and it occurred after the Land League had been suppressed as an unlawful association, and not whilst he and his Friends had any influence upon the course of events. Something had been said as to a man having advanced £10,000 upon an estate in Mayo. The tenantry were under £4, and that did not say much for the common sense of a man who would lend that sum upon such an estate. In fact, such a man was an exceedingly great fool. He could not share the views put forward by an hon. Member as to the advisability of sweeping away the cottier class. He had lived amongst them and could assert that they were a class entertaining great affection, and one which, if properly dealt with, would be an ornament and most useful class in any country. It was from that class that the soldiers and sailors of the country were largely drawn. It was to them that they looked to shed their blood in defence of their country, and they were a hard-working, vigorous people. He could not, therefore, agree with those who wished them to be exterminated in Ireland, as had been done in the Scottish Highlands. They received, as a rule, very scant courtesy from the Treasury and all parts of the House. They had been told that these people could not live on the land if they paid no rent at all. How, then, could they be expected to live when they had to pay rack rents? Was not this a contradiction? They had heard that they did not live in decency. He denied this, for amid their poverty and misery they had won the respect of the hon. and gallant Baronet who had told them that even during the great famine year upon the estate upon which the £10,000 had been lent not one penny was owing in arrears. How, then, could it asserted that they would not be able to live upon the land if they were rent free? They had lived and had paid grossly unfair and most discreditable rack rents, and by their perseverence, industry, and great self-denial, they had had paid those rents. Millions of money had been paid in the shape of rent out of the poverty of those people, who not only had lived in decency, but who had managed to raise large families in health and strength —men who were now a credit to the large manufacturing towns of this and other countries. The villagers of Mayo brought up their healthy and happy children, although their food was poor, and Ireland had sent out of her poverty immense populations, who were now inhabiting the Western countries on the other side of the Atlantic. Would the Government give them, even now, what they had almost begged of them? Would they give these people the land rent free for two or three years during dire distress, and let them take a fresh start at a fair rent? They were able to live in decency on the land not only if they got it rent free, but even at a fair rent, or saddled with such a charge as would pay off a reasonable compensation to the landlords. He admitted that the land in the West of Ireland was not sufficient to bear a double crop. It was not sufficient to support both the tenants and the landlords; and what they had to do was to get the landlords out of that altogether. The people were prepared to pay by instalments a reasonable compensation to the landlords. If, however, the little means possessed by these poor men were taken away and swallowed up in the discharge of arrears, it would be utterly impossible for them to continue to live, save as paupers. They were quite able to hold their land at a moderate charge; and that fact wholly disproved the statement that they could not live even if their tenancies were given to them rent free. He had never attached as much importance to this Arrears Bill as some of his Colleagues had done; but he acknowledged that it might open a door out of the present hopeless imbroglio by which peace and order might be reached, and would bring relief to a great mass of suffering people, who would otherwise, he feared, be driven to extreme and lawless action. Everything, however, would depend on the way in which the Bill was worked. It appeared that the Prime Minister's mind was open on the question whether the value of the tenant's interest in his holding was to be considered in estimating his ability to pay his arrears of rent. He had no hesitation in saying that if this was to be made an open question, it would be far better to abandon the Bill altogether; and that was his honest and frank opinion. It was the invariable mistake of the Government that they paid no attention to the advice of those who knew the Irish tenants; but he could assure the Prime Minister that he spoke on behalf of very many tenants in Ireland, and knew that his opinion on this point was absolutely correct; and he could only repeat that the Bill would do harm rather than good if it regarded the value of the tenant right as a means of discharging arrears of rent. No Ulster Member, he was sure, would contradict that statement. Practically speaking, the object of the Bill was to enable the tenants to remain in possession of their holdings, and to give the landlords a bribe to allow them to do so; and if ever the Irish tenants got it into their minds that it was intended to enable them to dispose of their farms, they would reject the measure with contempt. If he knew anything of the Irish people, he should say that their idea was that the Members of the House, and the landlords, and even some Members of the Government, were in a conspiracy to get rid of them, and that feeling necessarily produced a spirit of hostility. The Government presumably wished the Bill to be regarded as a measure of relief, and ought, therefore, to make, without delay, a distinct statement that they would support no Amendment affecting tenant right in the way he had indicated. There were other matters to which he would briefly call attention; and the first of these was the limitation of the Bill to those tenants to whom the Land Law (Ireland) Act applied. He urged the Government to withdraw that limitation. In the southern part of his county there were three or four estates held by landlords whose proceedings the Prime Minister would be the first to condemn; and, of course, in the whole of Ireland there were considerable numbers of such men. However, on the estates to which he referred the tenants all had to sign penal leases, which had not been broken by the Land Court; and this limitation would obviously deny the benefits of the Bill to a great many tenants who were similarly situated. Indeed, regarding the matter for a moment from the landlord's point of view, what could be the philosophy or the common sense of punishing the comparatively generous landlords and allowing the greater offenders — those who had forced leases on their tenants—to escape? He would suggest that the Bill should apply to all tenants whatsoever of holdings under £30 valuation. Again, would the Government stay all proceedings on the part of the landlord pending the tenant's application to the Court? If not, the Bill would be valueless in thousands of cases, and the landlord would be able, in the meantime, to sell the tenant right of the holding. He hoped the Government would consider the cases he had mentioned, and would make the Bill a real measure of relief.

MR. A. J. BALFOUR said, that no one could listen without emotion to the touching apology that had been made for the small tenants by the hon. Member who had just sat down, and who had evidently spoken straight from his heart. He thought, however, that the hon. Member had to some extent misunderstood the attitude taken towards those tenants by those who had preceded him in the debate, and by others who would be very glad to see the system of extremely small tenancies profoundly modified. Those who asserted that small tenants in the West of Ireland could not live on their holdings, even if they had them rent free, made no accusation against them whatever. Such an inability was their misfortune, and not their fault, and the House was ready to give due credit to those poor persons for their struggles in times of distress. If political economy was not altogether out of date as far as the House was concerned, he should like to ask the hon. Member to explain the meaning of his remark that the small holdings in the West of Ireland were sufficient to support the tenant, but not the landlord also—to afford a profit, but not to afford a rent. By the present law every tenant had a right to sell his holding for what it would fetch, and the incoming tenant who bought the goodwill of a holding paid down a capital sum representing an annual charge, which sometimes even exceeded the rent. This being the case, it was clear even to demonstration that no tenant who had bought, or whose predecessors had bought, the tenant right of his holding, lived on it without paying an annual charge upon it in one form or another, and that the existing state of things would not be permanently remedied even if all the landlords were turned out of the West of Ireland. Now, the Government had introduced three remedial measures in the course of three Sessions. They began with the Compensation for Disturbance Bill, of unhappy memory; then came the Land Bill of last year; their latest project was the Bill now before the House. These proposals differed in many respects from one another, but they all agreed in two or three very important particulars. They all violated not only every principle of that political economy which was now obsolete, but also every principle that had hitherto been recognized in English legislation. All of them had been introduced as the result of agitation, and all had been recommended to Parliament as a means of avoiding further agitation. Parliament was called upon to accept them, so to speak, with a pistol at its head, because, good or bad, they had excited expectations which could not be disappointed without endangering the country. No doubt the hon. Member for Salford (Mr. Arthur Arnold) was right in saying that this Bill was complementary to the measure of last year. The three measures were connected by direct descent—the Land Bill from the Compensation for Disturbance Bill, and the Arrears Bill from the Land Bill; and a numerous progeny might probably be expected in continuation of this unhallowed pedigree. The Government, of course, would have the House believe that the Land Act was really and truly an improvement of the system of land tenure in Ireland; but its developments showed it to be no more than a scheme of political plunder, for which the only conceivable justification was the fact that the Government were contending with an enemy whom they could not quell and whom they were bound to buy off. As Lord Derby said, the Irish landlords had no right to compensation for their losses by the Bill of last year, because, but for that Bill, they would have lost everything. If this remedial legislation could only be justified as blackmail, he wished to know how far the Government meant to pursue their present policy? Whenever they introduced Bills such as this, they fostered the agitation which had already forced their hands. The teaching thus imbibed by the Irish people had a most fatal tendency, and no pupils were more apt than the Irish tenants to learn the lessons that the Government seemed anxious to give. For years this country had been anxious that there should be a larger number of freeholders among the Irish peasantry; that absenteeism should diminish; that the tenants should rely more and more upon their own industry; and that the evils resulting from over-population should cease. The legislation of the last few years had rendered the fulfilment of these objects almost impossible. It had made tenants less anxious than formerly to acquire the fee simple of their holdings, and it had increased absenteeism, for landlords who had been robbed of many of their rights were naturally unwilling to remain at home and be murdered for insisting on the rights that still remained to them; and now, by keeping in their holdings people who could not pay rent, the Government would perpetuate the evils arising from the increase in the poorest class of the population. With reference to some observations of the hon. Member for Tipperary, he had to say that in those parts of the Highlands of Scotland in which former landlords had not, with ill-timed mercy, allowed the population to remain stationary, the people were now in a very enviable state. A very different state of things prevailed, however, where the population had been allowed to increase and not subjected to removal. It was contended by the hon. Member for Salford (Mr. Arthur Arnold) that the only object of the Bill was to enable tenants to take advantage of the Land Act of last year. What security had they that when next a cycle of bad seasons occurred a large number of tenants would not be unable to pay their rents? If that should be so, and if they were driven from their holdings, would they not again become centres of disaffection? When that conjunction of circumstances should occur, by what argument would the Government be able to resist the demands of the Irish Representatives for a new Arrears Bill? The measure before the House was an anodyne, but not a remedy. There was nothing in it that would permanently ameliorate the position of the Irish tenantry. His chief objection to the Bill was not that the British taxpayers, many of whom could scarcely meet their own liabilities, were called upon by its framers to pay the debts of the Irish peasantry—though, undoubtedly, the hardship was a great one—but that the Bill was a violation of every principle that had hitherto guided their legislation in that House. It was one of a class of Bills which, before this Government came into Office, they had never seen, but of which they had seen too many specimens already; and he thought it was now fully time the House should put its foot down and say that of exceptional legislation they had had enough and should have no more. In conclusion, he said that the discontent which the Bill must cause would be greatly augmented by the knowledge that many of the people whose debts were about to be paid actually had property with which they could liquidate their liabilities but for the objection on the part of the Government to their realizing that property.

Dr. LYONS said, as practical politicians, they must look at the facts as they found them, and he thought he should be in a position to show that the state of things in Ireland was such as to call for exceptional legislation. The hon. and gallant Baronet opposite (Sir Walter B. Barttelot) had reminded the House of the principles laid down by Sir Robert Peel; but he had omitted to say that two or three years after the enunciation of those principles Sir Robert Peel was himself a consenting party to the advance of £1,000,000 for the purpose of meeting the difficulties that had arisen in connection with the tithe agitation in Ireland, and also to the advance of £500,000 more to meet the arrears of those entitled to tithe rent-charges. The hon. Member for Tipperary (Mr. Dillon) appeared to him to be the only Member on the other side of the House who had dealt practically with this question. Having an intimate knowledge of the state of things in Ireland, he had put before the House the actual position of the small farmers in that part of the country to which he referred; and he (Dr. Lyons) could endorse, with regard to that and other portions of the Island, everything the hon. Member had said as to the independence, the integrity, and self-sacrifice of that body of men. The House must bear in mind that in Ireland there were 415,000 persons under £10 valuation, and to talk of emigrating that number with their families *en masse* was simply idle. The real question before them was how to help these people in the crisis which actually existed in Ireland. The Prime Minister estimated the amount of the indebtedness of the Irish tenants at £2,000,000; but he thought that an examination of the statistics now in their possession would show that the amount was vastly greater. In some cases two years' rent was due, and in others two and a-half years', three years', and even upwards. At present, according to the Returns of the Commissioners of Inland Revenue, £4,000,000 of taxable income was in arrear in Ireland, which, he added, showed a very serious condition of things. Before the landholders became crippled one of the first charges they were bound to pay, and did pay, was the Income Tax, and it was only last year it became generally known that a relaxation in that charge would take place. It was, of course, next to impossible to estimate the actual amount of arrears in Ireland. His right hon. Friend the Member for Bradford (Mr. W. E. Forster) last year estimated it at £750,000; but that was now conclusively shown to be entirely below the mark by the estimate of the Prime Minister, which placed it at £2,000,000. According to present calculations, it was estimated at something like £2,000,000, for those entitled to aid by the "gift" contemplated by the Bill; but he believed, from his inquiries among agents and others specially conversant with the subject, that it was very much more than that. A full estimate implied that something like 70,000 landholders in Ireland were out of pocket to the extent of probably between £6,000,000 and £9,000,000. Those who talked about getting rid of landlords by a process of expropriation seemed to think that after that they would have a kind of *tabula rasa;* but they forgot to consider that if they drove the landlords out they would have to face a far less merciful body—namely, the mortgagees, trustees, jointresses, annuitants, and so forth, who to provide themselves with the necessaries of life would be compelled to enforce their obligations to the uttermost. They must also remember, before talking of driving out the landlords, that upon them depended for their support a vast body of the labouring class of Ireland — men who had shown remarkable patience and patriotism, and whose claims must be adequately dealt with by the Legislature in a very short time. Many landlords, and ladies too, solely dependent on land in Ireland had been reduced to a condition of absolute poverty, and were no longer able to give the labourers that employment they were accustomed to give. He believed that a large portion of the tenantry of Ireland might and would pay their rents if they were at liberty to do so. He did not take a pessimist view of the future, and he believed these people would pay yet. He did not think that the ill-feeling sought to be created between classes in Ireland, now unfortunately reaching an acute condition, represented the real sentiments of the Irish people. The heart of Ireland was still sound. The occurrences of the last few weeks showed that in their hearts the people turned to the landlords under whom many of their families had lived from generation to generation, and from whom they expected and hoped for continuous employment; and he knew numerous instances throughout the country of landlords having deprived themselves of every possible luxury, and reduced their expenses to the lowest possible scale, in order that they might not be compelled to dismiss the wage-earners who had been living under them for so many years. With Clause 2 of the Bill he could not agree, as he held that in a large number of instances it would work in a manner differently from what the Government expected. By it landlords in many instances might be forced into accepting one year's rent in lieu of several. [Mr. W. E. FORSTER: Hear, hear!] The right hon. Member for Bradford said "Hear, hear!" Did the right hon. Gentleman fully understand all the words implied? He did trust the Government would see the absolute necessity of amending the clause in Committee. The Prime Minister said that in the case of the late Mr. W. Bourke seven to eight years' rent were due to him. Mr. Bourke had shown a vast deal of forbearance, and he, like many others, had been pressed by family and other claims; and whether that unfortunate gentleman acted wisely or not he did not say, but in a case like that Clause 2 of the Bill would compel the landlord to take one year's rent in lieu of an indefinite number of years' rent in arrear. The operation of this Bill in another point of view was open to grave objection. He referred to the artificial limitation in regard to the relief to be afforded by "gift." In the name of common sense, he asked, what reason was there in limiting the relief to those at or below £30 valuation, and cutting off those above £30 valuation without any prospect of assistance whatever? Such a limitation was purely artificial; it would operate in the most injurious manner, create a not unfounded jealousy, and paralyze the tendency to pay rent. He hoped the Government would agree to amend the Bill in that respect also in Committee. He had before, and he now again, expressed his sincere and profound regret that the question of arrears had not been dealt with sooner. Had aid by loans been given the Irish people two years ago, and had such a measure been put in operation at the time he had the honour to bring it under the notice of the House in August, 1880, he had every reason to believe that they would have been saved a vast deal of the wretchedness of the past two winters; and he ventured to say the outrages and murders that had disgraced Ireland would not have been perpetrated. He had an Amendment on the Paper in which he shadowed forth the way in which he would desire the House to deal with this whole subject. He believed the proper limit for "gift" would be a £10 valuation. That would meet all the difficulties, and it would include that class of individuals whose case the hon. Member for Tipperary (Mr. Dillon) had so graphically described—who were, in fact, absolutely unable to pay. Furthermore, if they relieved the tenant in the manner prescribed by this Bill, they were bound in equity to step in and assist the landlord who suffered under the compulsory arrangement. He much preferred the principle of a loan, and would not impose any limitation as to the class of tenants who might borrow. Such a scheme would immediately separate those who were able to pay from those who could not pay, because the tenant having money in the bank would not go to the Government for a loan at 5 per cent, when, as assumed, he could draw it from his own funds lying at the bank at 1 per cent. He held in his hand letters from a number of tenants in Ireland, who, to their infinite credit, said they did not want any gift, that they preferred loans, and that if they could obtain loans on reasonable terms they would honourably repay them. Assistance in the form of gift would paralyze all operations throughout the country; but assistance by means of loans would put every tenant in the country in the position of a merchant who borrowed money on reasonable security to meet the wants of his business. If the Government were determined to aid by "gift," the last fund they should lavishly part with was the Church Fund, for which there were other claimants than the distressed tenants. The State would have soon to help the labourers, and it would be a great and a wise measure to lend them £1,000,000 of the Church Fund to house themselves. If the Church Fund were now exhausted, what resource was there for the development of the fisheries and other industries of Ireland, and for the much-needed extension of technical education? If the Government insisted upon the principle of "gift," it was for them to find the money. In conclusion, he did not believe it was expedient to put this additional work on the Land Commissioners and Sub-Commissioners, and several of the Sub-Commissioners had told him that they believed it would be impossible for them to do it. Already they were overweighted. This new work to be effective should be done with rapidity, and the best thing to do would be to appoint a mall Commission to execute it. Loan operations would be to a large extent automatic, and would require less official organization to carry them out. For these reasons he would prefer loans to gifts; but as the Government had committed itself to the principle of "gift," he trusted they would yet see their way to superadd that of "loans" before the Bill became law.

Mr. MULHOLLAND said, he wished he could persuade himself that this Bill would be as successful in restoring peace and order to Ireland as some hon. Gentlemen assumed. At the same time, he maintained loans would be equally successful with gifts in securing that end. Even supposing the districts suffering most from privation were temporarily relieved, he could not admit that it would be possible in the future for small holders to live on their holdings with anything like decency and comfort, even if they had the land rent free. The best answer to the affirmation that they could give was to be found in the statistics of areas, values, and population in the West of Ireland, as compared with those relating to similar districts in England and Scotland. In the latter there was one human being to a valuation of £6 a-year; but in Ireland there was one human being to a valuation of £1 a-year. In several parishes of one Union it would be impossible for the people to live in a state of comfort even if they had no rent whatever to pay. In these circumstances he could not help regretting that the £2,000,000 proposed to be dealt with were not to be applied to promoting emigration, which would be a permanent remedy. The alleged disinclination of tenants to emigrate was not borne out by the Report of Mr. Tuke's Committee, which stated that they were eager to avail themselves of any assistance to emigrate. As to evictions, which it was the main object of the Bill to stop, the original cause of them was the advice given by the Land League that the tenants should hold the harvest and refuse to pay rents. Against such a combination what possible remedy had the landlord but eviction? With respect to the accumulation of arrears, it must be remembered that in back years the landlords had been appealed to not to press their legal claims, but to show forbearance to the tenants, and it was this forbearance that originated the arrears now proposed to be dealt with. The Land League thought that evictions could be rendered impossible by "Boycotting;" but when they found evictions taking place they concluded with the Government an arrangement the first condition of which was the payment of the arrears accumulated under their advice not to pay rent. If Parliament ratified that condition it would increase the prestige of the Land League and discourage those who at great risk had done what they could to meet their obligations. These would be the demoralizing effects of advancing money as a gift, and not as a loan. The tenants who at the risk of great privation, and perhaps at the risk of bodily injury or death, had paid their rent would be demoralized by seeing those who had not done so rewarded by having one-half of their burdens cast on the State and the other half on the landlords. Since the Arrears Bill had been brought forward he was told there had been a complete stoppage of the payment of rents in many districts of Ireland. The tenants preferred to delay the payment of rent until some of the arrears cases had been heard in Court; but they would not be exposed to this temptation if the assistance were to be by way of loan instead of gift. If the cases to be brought forward under the Bill at all approached in number to that mentioned in the Treasury Minute which had been distributed, he did not see how the list could be got through. He did not attach much importance to the condition of inability to pay; for if a man alleged his inability, how on earth was the contrary to be proved by evidence? He agreed as to the impropriety of taking the money from the Church Fund. On the second reading of the Bill he said he thought it would be better to omit all reference to it, and he certainly thought it was a mistake to mention it as the primary source to be drawn upon. The statements he made were criticized by the Secretary for War. He stated at the time that the figures he gave were taken or deduced from the Church Fund accounts for 1880, and the accounts for 1881 had not yet been published. The Act said the accounts were to be published at intervals of not less than 12 months; but the change which had been made involved an interval of 12 months. With regard to the terminable annuities, the Treasury Returns had enabled him to calculate their value when turned into perpetual annuities. The only basis for forming a proper estimate was to take the capitalized value of assets and liabilities. Among the terminable annuities he had included the tithe rent-charge, because those who paid it had the right, at any moment, of converting it into an annuity terminating in 52 years. Taking the present charge of 3½ per cent interest as the basis, he had calculated the amount of a perpetual annuity that would be the equivalent of the terminable annuities, thus eliminating that portion which was merely a return of capital. Upon this calculation the tithe rent-charge, at present amounting to £195,000 a-year, would become a perpetual annuity of £162,500 a-year; tithe rent-charge, already converted into 52 years' annuities, would become £140,500 a-year; land instalments would be represented by £37,800 a-year; rents by £61,000 a-year; mortgages on land by £37,000 a-year; and relief of distress instalments by £33,000 a-year; making a total perpetual annuity of £471,300 a-year. From this must be deducted, for taxes, management, and annuities still payable, a sum of £50,000 a-year, leaving the net permanent income represented by a sum of £421,300 a-year. Against that there had been borrowed, on account of the National Debt Commissioners, £6,674,000; for intermediate education, £1,000,000; for national teachers, £1,300,000; and for University endowment, £600,000: making a total of £9,574,000, which was equivalent to 22¾ years' purchase of the net permanent annuity of £421,300. The question as to what was the present capitalized value of the permanent income on which 22¾ years' purchase had been already borrowed must be, to a certain extent, a matter of opinion. The entire income, whatever its denomination, had its source in charges on Irish land. Tithe rent-charges, head rents, or charges for repayment of distress levied, did not differ materially in security. Rack rents, or instalments for payment of purchase-money of land let at rack rents, were less well secured, because those rents were admittedly high. There was already considerable agitation in favour of the admission of such holdings to the benefit of the Land Act of 1881, and there could be no reasonable doubt that, if so admitted, the rents and instalments would be considerably reduced. The tithe rent-charge was, by the Church Act of 1869, offered to those liable for its payment at 22½ years' purchase; but, although more valuable to them than to others, they did not avail themselves of the option, the price being considered too high. In the Tithe Bill of 1855, 20 years' purchase had been proposed as the price at which it might be redeemed. In the debate on the Irish Church Bill, 1869, 18 years' purchase was proposed by Mr. Herbert to be substituted for 22½; and he at the same time stated that even that price was higher than had been obtained in the Landed Estates Court. Since that time the value of income arising from Irish land could not be said to have improved. There might even be a doubt whether the tithe rent-charge might not be affected by the compulsory reduction of rent and confiscation of arrears. Considering the course of recent legislation, he thought few would say that the value of property had of late years increased. In his opinion, the present debt, being 22¾ years' purchase of the income, was more than the present value of the assets. If those assets were valued even at 22 years' purchase they would amount to, say, £9,268,000, as against a debt of £9,574,000, leaving a deficiency of £306,000. That would be a very unsafe financial basis upon which to negotiate a loan, and no banker would be likely to entertain such a proposal. It would be much better if that portion of the Bill relating to the Irish Church were omitted altogether. He hoped the Government would not imagine that if this Bill were passed they would purchase any long peace by it. Hon. Members sitting below the Gangway had, in fact, said it would only result in a short truce. Even in the Land Act of 1881 there was not a single clause that had not been the subject of attack. The principle upon which it seemed legislation was to be based was continued concession to disorder and lawlessness, which would see no finality.

Colonel O'BEIRNE said, that after looking carefully into the Bill, he had come to the conclusion that it did not comply with the essential condition upon which such legislation should be based—namely, justice as between landlord and tenant. Very many landlords had mortgages and other charges upon their properties. What were to become of these? Were they also to be swept away? The Government, although they were prepared to wipe out the arrears, left the landlords under the obligation to pay the tithe charges. Again, the Bill in its application was limited to holdings of less than £30, and in this particular it was unjust, and would lead to great dissatisfaction, as it would also amongst the tenants who had honestly paid their rents, notwithstanding inducements to refrain from doing so. The Land Courts as yet had only taken 16,000 cases, and how long it would take to dispose of the 80,000 arising under this Bill he left hon. Members to calculate. Taking it altogether, he could not quite approve of the Bill; and although he had voted for its second reading, he did not know that he could finally vote for it if it emerged from the Committee in the same shape as it was at present. He did not approve of making the money advanced exclusively a gift, nor did he think that would be generally approved by the people of Ireland, amongst whom, indeed, there seemed so much apathy in regard to the Bill that he had not heard them express an opinion one way or other.

MR. E. STANHOPE said, he wished to give some reasons why he regarded the provisions of the Bill with dismay, and why he considered that though the Compensation for Disturbance Bill and the Irish Land Bill of last year contained many most objectionable principles, they were much excelled in that respect by the measure now before the House. He believed it to be unjust and hostile both to honest tenants and kind landlords; and so far from being at all likely to put an end to agitation, it would only become the stepping-stone to a new and more serious agitation. When the Prime Minister told them there was no Party in the House prepared to take the responsibility of rejecting the Bill, he knew he was quite safe. They on the Opposition side of the House could not reject the Bill, but they were prepared to give it an uncompromising opposition. Who was it that supported the Bill? They had just heard from the hon. and gallant Member for Leitrim (Colonel O'Beirne) that he had never heard anyone in Ireland say a word either for or against it. The Prime Minister said he wished to legislate for Ireland in accordance with Irish opinion. And though Irish Members on both sides of the House had not approved the principle of the Bill, they all knew quite well who had supported it. The real supporters of it were the Land League; and he was not surprised at this, for it was expected that something would be got out of this Bill, and that then, by means of wheedling or by stronger arguments, more would be obtained. He had always entertained the greatest respect for the abilities and qualities of the Prime Minister; but there was one quality which, in his opinion, the right hon. Gentleman lacked more than any other statesman of this or any other country or any other time—he was utterly unable to say "No" without qualification. The right hon. Gentleman told them to-day that the great object he should have in view now was to accelerate the settlement of every open question between landlord and tenant in Ireland. He should like to know who it was that had made this an open question; and he should further like the right hon. Gentleman to tell them what questions were closed in Ireland? When an hon. Member opposite spoke of this Bill as a sedative, he really meant it was an administration of a dose of opium, the effect of which was that when a man had recovered from it he wanted a great deal more. The moment they passed this Bill, and certain gentlemen in Ireland expressed themselves dissatisfied with the arrangement arrived at, the Prime Minister would say—"We have plenty on hand now, but later in the Session I shall be ready to consider your demands." There was one class in Ireland which they must consider—namely, those unfortunate persons who had paid their rents. They must, in consequence of this Bill, bitterly regret having done anything of the sort, and would make up their minds not to be deluded into such a mistake again. This Bill had been very carefully considered in this country; and so far as he had been able to judge of the feelings of the people upon the subject, especially of those in agricultural districts, the great majority, whether Liberals or Conservatives, were utterly opposed to it. They had been told to take comfort from the fact that, after all, probably they should not have anything to pay. The Prime Minister had told them that the Irish Church Surplus Fund would be sufficient; but had since a good deal qualified that statement, and to-day he said that he must make provision for a probable further payment, and that he might require £500,000 more than the Church Fund could supply. But the estimate presented to them by the Prime Minister depended on two or three great uncertainties. He said that only £2,000,000, or thereabouts, were likely to be wanted; but the opinion at which he (Mr. Stanhope) had arrived, after looking carefully into the matter, was that the number of tenants ascertained under this Bill to be unable to pay their rents would be exactly the same number as those who had not paid their rents. In a letter to *The Times*, which, no doubt, many hon. Members would recollect, the writer had stated that the tenants on the half of his estate which he had not sold had regularly paid their rents until the present Government came into Office, when, almost immediately afterwards, the tenants stopped payment. He was glad to hear that provision was to be made for inquiry as to whether or not a tenant was likely to be able to pay his rent; but he should like to know what the Court of Inquiry into this matter would be able to set against the statement of the tenant. Would not they have to assume that what the tenant said was true in every case where he asserted that he was not able to pay his rent? Had they adopted the mode of assisting tenants by loan, this elaborate system of inquiry would have been totally unnecessary. The second element of uncertainty in the calculations of the Prime Minister was the sufficiency of the Church Fund. Anyone who had heard the hon. Member for Downpatrick (Mr. Mulholland) would admit there was a good deal to be said upon that subject. Even granting that the Church Fund would supply as much as was expected, still he thought the sum actually required would be very much larger than the estimate. He should be prepared to set aside even principles which he had always earnestly defended, if only it could be shown that the legislation which was now proposed was likely to be effectual, and to have permanent effect. But he knew perfectly well that the Bill would not satisfy those for whom it was primarily meant. Had even the proposal of it made men in Ireland more loyal than they were before? He might go further, and ask what legislation of the present Government had made a single man in Ireland more loyal than hitherto? But the proposal had two great and undoubted defects. First of all, those who had paid their rents were thoroughly dissatisfied and discontented; and, in the second place, those who had not paid their rents had absolutely abstained from doing so. And he must say he was surprised when he heard the Prime Minister put forward that as an argument for passing this Bill. It was putting his argument on a very low ground, to say the least of it. But he was still more surprised that the Prime Minister relied on the letter addressed to *The Times* by Lord Clanricarde. He would read a little more of that letter than the Prime Minister thought fit to read. Lord Clanricarde said—

> "My rents are so low that my earliest and, as such, probably my worst batch of Land Court cases (to accept the Government theory) average less than 10 per cent above Griffith's valuation, and are considerably lower in rent than the Land Courts' own valuator. I objected to the arrears being allowed further to increase, and called for a half year's rent now, when overdue. After much had been paid, further payment suddenly ceased, and my agent in a letter written a few days before his death thus reports the reason:—'The Arrears Bill has completely paralyzed the payment of rents, and its introduction at a time when some slight symptom of a disposition to honesty was beginning to manifest itself among the tenantry was most unfortunate. Tenants of all classes now evince a determination not to pay until they see the upshot of this measure before Parliament.'"

The argument of the Prime Minister was one of the strangest that could be used. It really amounted to this—that, in the first place, the introduction of this Bill was nothing more than the proclamation of a second "no rent" manifesto; and, in the second place, that if, after that proclamation, any landlord ventured to assert their just rights, murder would follow; and because those two lamentable consequences had followed the introduction of the Arrears Bill, the Prime Minister asked them, for pity sake and for mercy to the Government who had committed such a blunder, at as early a moment as possible to pass the Arrears Bill. Not only had this Bill tended to the non-payment of rent, but it had opened up questions in Ireland which would in after years be attended with very great disadvantages. But he had said he, for one, would be very much inclined to accept this Bill if it could be shown that it was likely to benefit Ireland permanently. In the first place, however, it would form a precedent which would be quoted against them, or the Government in power when bad times came again, in such a manner that it would be impossible to resist it. They were going to say to these tenants, without any careful inquiry, that a portion of their rents would be remitted. He could understand it if they made inquiry into the conduct of these tenants as to how their inability to pay arose, whether from want of prudence or any other cause; but the Government proposed to interfere between a landlord and his tenant, simply because the tenant had chosen to spend the money which he could have paid to the landlord; and they proposed to deal with bad and good alike.

The result of that course must, in his opinion, inevitably be that other tenants in Ireland would say—and he should not be surprised if tenants in England and Scotland said the same thing—"What is the use of prudence?" They might be perfectly certain that when bad times came in Ireland—and times of bad harvest would most certainly come some day or other—these tenants would appeal to the Government then in power, to do what the Government were now doing; and he was afraid it would be impossible to resist that appeal. There were many tenants in Ireland who were able to pay no rent at all. That was clear from the Report of Professor Baldwin; and it was stated also very clearly in the Report of The O'Conor Don, and in a recent speech of the right hon. Gentleman the Member for Bradford (Mr. Forster). The question he wanted to ask was, if they were going to pass this Bill, what permanent good would it do to the country? The hon. Member for Tipperary told the House that this Bill would put tenants in such a condition that they would be able to sell their holdings. Well, that was not the object of this proposal at all. The object of this proposal was to enable tenants to go into Court and claim the benefit of the Land Act, and thereby to stereotype and continue the existing state of things. This proposal might be called statesmanship according to the modern view, but it certainly was not common sense. Could Members of the House be absolutely certain that in the course of a year or two, at the furthest, these poor men would not be again in difficulties, and ask the House to relieve them from the duty of paying their rent? For his part, he thought the proper way of dealing with these tenants in Ireland would be to endeavour to establish them upon their farms in such a manner that they might be able to live and thrive upon a fair rent. If they could not do that, it was perfectly useless to try to bolster up a system which was doomed to failure beforehand. This Bill must inevitably—and he challenged anybody to deny it—lead in a year or two to a fresh demand upon our purses and our principles. Therefore, he supported heartily the Amendment of his hon. Friend and Colleague. He opposed this Bill—first of all, because he believed it to be wholly ineffectual for its object, and next, because it was unjust to England and dangerous to Ireland.

MR. TREVELYAN said, he should best show his respect for the hon. Gentleman who had just sat down by saying he regretted that he was prepared to give the Bill his uncompromising opposition. He had said that the Prime Minister was unable to say "No" without a qualification, and he must say in that respect the hon. Gentleman (Mr. E. Stanhope) did not resemble the Prime Minister on this occasion. As far as he knew, no argument had been brought forward by the hon. Gentleman which was not urged by his hon. Colleague (Mr. Chaplin), though those arguments were urged again with great force, and, he thought, on some occasions with eloquence. The hon. Member below the Gangway stated, in the first place, that he objected to a paying away of public funds to an indefinite amount, notwithstanding the general statement which had been made by the Prime Minister. They had had a very detailed and important attack, from the Government point of view, from the hon. Member for Downpatrick (Mr. Mulholland). Now, he did not pretend to be a financier who could examine in detail the calculation of the hon. Member without having approached it previously. But no one could read the Minute of Mr. Finlayson and that which preceded it, without feeling that they were, at least in his opinion, unanswerable. The hon. Member who had just spoken commented on the statement of the Prime Minister as to the number of tenants unable to pay, and he made the uncompromising assertion that the number who would be found unable to pay would be the same as the number who had not paid. But the Treasury Minute of the 1st of July, 1882, did not in any way raise the question in that manner; it did not enter into the question whether the tenants could or could not pay, but it calculated the amount of arrears; and, therefore, if the hon. Member turned out to be right in his calculation, that would not invalidate the conclusion to which they had come. That Minute he had carefully examined, and he firmly believed that the moiety of arrears at present due, and which would come under consideration in this Bill, would not exceed £2,000,000. Another great objection of the hon. Gentleman the Member for Mid Lincoln (Mr

Chaplin) was that this was a confiscating Bill, because, he said, they were about to take away the property of the landlords without compensation; and he added that all the arrears due to the landlords were as much their property as the coat on the back of the right hon. Gentleman was his. But there was one unfortunate difference which the hon. Gentleman left out of consideration, and that was that the right hon. Gentleman's coat was actually on his back, while a much larger part of the arrears than the landlords would willingly forego would, as he firmly believed, never come into the landlords' pockets. The third objection of the hon. Gentleman was that there would be a block in the machinery of the Land Courts. He was glad to be able to say the block, such as it was, there was some prospect of bringing to an early termination. The applications for the fixing of fair rents amounted hitherto to 78,700. The fair-rent cases decided were 12,142 ; but, meanwhile, the agreements for fixing fair rents immediately under the supervision and orders of the Commissioners were 9,369, or, in all, 21,511. That left 57,000 cases to be still decided. But of these it was probable that much larger progress in settlements out of Court would be made, for the proportion of such settlements was growing greater and greater. The settlements in Court and out of Court now, with the machinery working more rapidly, exceeded 4,000 a-month, and even at that rate 15 months would clear off the arrears at present on hand. But the rate would probably become much more rapid, as the settlements out of Court were going on faster; and the Commissioners told him when he was last in Dublin that they hoped to clear off all the arrears by August of next year. The settlements out of Court, it should be remembered, did not represent all the work done by the Commission, because some of the largest and richest landlords of Ireland were carrying on with increasing rapidity a system of settlements with their tenants which was cheaper and more satisfactory to both parties, and which would give the tenant the same security as if the settlement was made by the Land Court itself. Another objection was that the Bill would discourage honesty in two ways. It was said that the tenants who had done their best to pay, and had paid, would be left in the lurch; and the Colleague of the hon. Gentleman who said that described them as "those unfortunate tenants who had paid their rents." He could not allow that epithet "unfortunate" to pass without remark. From the nature of the case, these tenants were able to pay; but this Bill was drawn up to meet the case of those who suffered from their inability to pay. The right hon. Member for Bradford (Mr. W. E. Forster) had spoke of the danger of demoralization from the 3rd clause in the Land Act. But that clause came into operation on the joint application of landlord and tenant, without reference to ability to pay; and therefore, so far as it was represented in this Bill, the demoralizing element was absent. The next mode of discouraging honesty was in this way. It was said that as a certain number of tenants had incurred a loan under the Land Act, and had thus paid off their arrears, they would now find themselves side by side with others who would get their arrears as a free gift. The Government had recognized the force of that objection, and in the Amendments inserted in the Bill they had done much to meet it. The first change was in Clause 13, in which the Bill now proposed to cancel the rent-charges for loans made under the Arrears Section of the Land Act, and therefore to enable the tenants who had paid their arrears by means of loans to take the benefit of the Bill. The second change was that it excluded from the benefit of the Bill tenants who possessed one or more holdings whose aggregate valuation exceeded £30—that was to say, the solvency and the social position of the tenant was looked to, and he was not to have a chance of standing on favourable terms because he had two or more farms, each of them under £30. Then, as to the amount which was to be paid under the Bill, that would be very much diminished by the 3rd sub-section of Clause 1, the effect of which would be to recognize the custom of the hanging gale and to count the limit up to which the arrears would run according to the custom of the estate, and not by the time when they were legally due. Lastly, one very important change was made to meet a just and most serious objection, urged from every quarter of the House, and that was with regard to the rapidity with which the Bill would work. The Government fully recognized that the Bill, as originally drawn, would throw upon the Commissioners a burden which no body of public servants ought to bear; and now by the 5th clause power was given them to delegate those functions which might be administrative rather than judicial to persons sufficiently qualified, while they reserved the most important orders to themselves and the Civil Bill Courts. If that clause was worked as they desired, though it might entail an additional charge upon the Treasury, the Government and Commissioners had no apprehension but that the Bill would be as rapid in its operation as it would be effective. Hon. Gentlemen who opposed the Bill left out of sight the real reason on which the Government rested their vindication. That reason was that this was an exceptional Bill—[*Ironical cheers.*]—to meet absolutely exceptional cases. Since 1846 and 1847 there had never been any period of agricultural distress in Ireland similar to that which had produced the results this Bill was intended to meet. The harvest of 1877 was bad, the subsequent year was wet and inclement, and in 1879 the potatoe crop was not more than half an average crop, the general harvest was very inferior, and the supply of turf, on which the Irish peasant so much depended for his comfort, was completely insufficient owing to the bad weather. No prosperity for two or three years after could possibly do away with the effects of these lean years. The House might see evidence of their effects in the Poor Law Returns. In 1876 some 48,000 persons obtained indoor relief in Ireland; in 1880-1, the number rose to 60,000. In 1876 the number receiving outdoor relief was 33,000; in 1880-1, it rose to 90,000. When hon. Members opposite cheered ironically at his description of this as an exceptional measure, they should remember the exceptional measures introduced by the late Government in order to meet exceptional distress. The late Government had first of all enlarged the system of outdoor relief; then they had authorized great baronial works in order to provide employment for the people; and next they passed the Seeds Act, under which nearer £600,000 than £500,000 was advanced on loan for the purpose of seed potatoes and seed oats. These were exceptional measures that could only be justified by exceptional times. In addition to these provisions special grants were made for the construction of piers and harbours on the West Coast of Ireland, the very part of the country to which this measure was mainly directed, and there were, in addition, enormous private funds distributed there. He referred to these matters to remind the House that the distress in Ireland from which these arrears arose was not imaginary, but real, and called for exceptional methods to prevent a great catastrophe. The hon. Member forgot this who said that the arrears had accumulated because of the bad advice given by the Land League, and that, therefore, the Bill was a great encouragement to the party of disorder. He reminded other hon. Members who accused Government of using public money to prop up a system which was rotten to the core, that that system—namely, of very small farms—existed, for good or evil, over the greater part of Ireland, and that this Government and every Government must recognize it. The late Government had recognized it by the measures he had described. The years of distress so utterly impoverished many people that it was impossible for them to pay their rent at all. It was for the benefit of these people that the Government introduced the Land Act for the purpose of fixing a fair rent, and inserted in that Act a clause enabling them to pay their arrears by means of loans. That clause was well meant, but it was not successful. The amount applied for was only £30,752; the amount sanctioned was a few pounds less; and the amount paid was only £5,182. But though the Arrears Clause failed, there was one thing which did not fail, and that was the certain operation of the distress upon the evictions. The evictions in 1873 were only 519; in 1877 they had fallen to 406. In the five years ending with 1877 they amounted altogether to only 2,515. In 1880 they had risen to nearly 1,900; in 1881 to 3,200—that was, 700 more than in the five years ending with 1877—and in the five months of the present year, 1882, they were 2,476. One of the most unfortunate results of these evictions was that in a very large number of cases they deprived the tenant of the benefit which the Land Act was intended by both Houses of Parliament to give him. Before the Select Committee of the House of Lords, Mr, Vernon, in answer to a question of Lord Dunraven, said that there was no doubt that these arrears prevented the tenants from coming into the Land Court, and that this condition of things kept them in a state of tension and warfare. The Government were bound to remove that obstacle to the working of that Act. The hon. Member for Hertford (Mr. A. J. Balfour) had said that this was a class of measure which, before this Government came into Office, had never been seen, and he objected to it—first, because it pauperized, and next, because it remitted debts which the persons who owed them ought to have paid in full. He reminded the House that in exceptional periods of distress there had been exceptional legislation, not only in Ireland, but in India. In Ireland, in 1846, the only period that could be compared with the present, the Treasury remitted a large amount of the advances they had made. In the recent Famine in India the Ryots had their land tax remitted by a process as near as possible to the provisions of this Bill. But the best sample of this sort of legislation was to be found in 1880, under the auspices of the late Government. The Board of Works were authorized to make loans to landed proprietors, which loans were to be paid off at a rate of interest which would enable the Treasury to be recouped. They borrowed £113,000; but the Treasury found that this was not sufficient, and on January 12th, 1880, an amended notice was published by the Board of Works, in which the terms offered were that the interest charged on these loans should only be 1 per cent. The Treasury, thinking that these earlier landlords who had borrowed the £113,000 were in an unfavourable position as compared with others, placed them in the same position, and by so doing clearly remitted to them the debt which they ought to have paid. In so doing they proved, in this respect at any rate, that this was not one of a class of measures which had never been heard before the present Government came into Office. The hon. Gentleman had said that before he could give his sanction to this demoralizing measure he must know how it was proposed to govern Ireland. The hon. Member then vindicated the Tory policy of the past. He then mentioned certain measures which he called Tory measures—measures of emigration and migration, of public works, and of encouragement of manufacture. He (Mr. Trevelyan) did not wish to criticize the Tory policy either in the past or in the future. He had no intention while he remained in this most critical place to add anything to the difficulties of defending the action which from time to time the Government were obliged to take by attacking hon. and right hon. Gentlemen who in their day did their best to do their duty. He would like to know from the hon. Member the details of the encouragement he proposed to give to manufacture. He sympathized much more with the scheme for emigration, because he understood it better. These were measures which were all general measures for improving Ireland, whereas the measure proposed by the Government was to meet special and exceptional distresses, and special and exceptional disorders which had in large part arisen out of those distresses. The hon. Member had asked what was the future policy of the Government, and he would try to tell the House, in the briefest manner, what that policy was. Their policy was to have an efficient Criminal Law, and to get that law respected. Such a law they had in the measure then before the House—a measure which he trusted would, during the course of the next week, have passed from that House. No pains had been spared by the Government to secure the high efficiency of the *personnel* of the Resident Magistrates to whom the working of that Act was intrusted; he could not now enter into details, but he could assure the House, also, that neither money nor care had been spared to secure that these magistrates should be as efficient and well fitted for their work as money and care could make them.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

QUESTIONS.

EGYPT (POLITICAL AFFAIRS).

SIR STAFFORD NORTHCOTE: I wish, Sir, to put a Question to the Prime Minister in consequence of some disquieting rumours which have reached us this afternoon. It is, Whether the Government have received any information with regard to affairs in Alexandria which they are in a position to communicate to the House? I should like, also, to ask the Prime Minister whether Sir Beauchamp Seymour is furnished with authority to act in case any necessity should arise?

MR. GLADSTONE: Sir, the right hon. Gentleman will, I am sure, understand that I am obliged to speak with great reserve about these matters; but I may say that we have received to-day no rumours tending to disquiet the public mind. With reference to the other portion of the right hon. Gentleman's Question, I may refer to an answer given by my hon. Friend the Under Secretary of State for Foreign Affairs earlier in the Sitting, to the effect that Sir Beauchamp Seymour has instructions which will enable him to act in case of necessity.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.

MR. GLADSTONE: I may also take this opportunity of referring to the course of Public Business, for the convenience of the House. The House knows how anxious we are to get forward as quickly as possible with the Prevention of Crime Bill, while, at the same time, the Government undertook that a clear day should be allowed between Committee and Report. Unfortunately, the Bill, as I anticipated, could not be circulated this morning, and, therefore, we shall be unable to take Report to-morrow, but we hope to do so on Friday. In order, however, to compensate for that loss of time, we are encouraged to press that the House shall meet on Saturday. Under the circumstances, the Arrears Bill will be proceeded with to-morrow evening.

MR. PARNELL asked the Prime Minister to consider the desirability of taking the Arrears Bill until the close of the Sitting on Friday, and of proceeding with the Report on the Prevention of Crime Bill on Saturday.

MR. GLADSTONE: The hon. Member will perceive that it is absolutely necessary to adhere to all declarations made to the House with regard to the conduct of Public Business, that course being essential to the carrying on of Public Business. From the first a pledge has been given that the Government will not postpone the Prevention of Crime Bill in order to make way for the Arrears Bill; we may, however, avail ourselves of any interstices of time there may be in order to proceed with that measure.

MR. PARNELL wished to know if the Morning Sitting on Saturday would be utilized to make some progress with the Arrears Bill in the event of the Prevention of Crime Bill being disposed of on Friday?

MR. GLADSTONE replied that, although the Government were extremely anxious to make progress, it would be inconvenient and premature to pledge themselves in that manner.

WEIGHTS AND MEASURES ACT (1878) AMENDMENT BILL.

On Motion of Major Ross, Bill to amend "The Weights and Measures Act, 1878," *ordered* to be brought in by Major Ross and Dr. CAMERON.

House adjourned at five minutes before Six oclock.

HOUSE OF LORDS,

Thursday, 6th July, 1882.

MINUTES.]—PUBLIC BILLS—*First Reading*—Baths and Wash-houses Acts Amendment * (180); Metropolitan Board of Works (Money)* (181).

Second Reading—Vagrancy (161); Supreme Court of Judicature (Ireland) * (166).

Committee — Supreme Court of Judicature Amendment (167-179).

Committee—Report—Highway Rates and Expenditure * (173).

Report — Cathedral Statutes (170); Justices' Jurisdiction (172-174); Merchant Shipping (Colonial Inquiries) * (164); County Courts (Ireland) * (168).

Third Reading—Tramways Provisional Orders * (125), and *passed.*

EGYPT—THE ARMAMENTS AT ALEXANDRIA.—QUESTION.

THE MARQUESS OF SALISBURY: I wish to ask the noble Earl the Secretary of State for Foreign Affairs, in accordance with a Notice which I gave the other day, Whether he can give the House any information with respect to the earthworks and fortifications which, it is said, are being armed round the Port of Alexandria; whether any communication has been made to the *de facto* authorities in Egypt on the subject of those earthworks, and, whether any orders have been given to our Admiral to enable him to act with promptitude?

Earl GRANVILLE: My Lords, in answer to the noble Marquess, I have to state that, about five weeks ago, preparations, which could only be construed as of a hostile character towards the Anglo-French Fleet, were reported to us as having been commenced in the harbour of Alexandria. We immediately communicated with our Admiral; and, at the same time, we applied to the Sultan to send a peremptory order that the preparations should be discontinued. I do not think that we heard any more since then until within the last few days, when a communication was received to the effect that preparations both with regard to earthworks and with regard to arming one of the forts there, and with regard also to a possible plan of obstructing the mouth of the harbour, were being made. We immediately gave instructions to our Admiral on the subject. I am sure that the noble Marquess will not wish that I should go into details with respect to those instructions; but I may say that they are of a character which appears to Her Majesty's Government to be ample to deal with the emergency. I am also able to state that we have heard that the Sultan has sent another peremptory order on the subject; but we have no official information at the present moment as to whether these preparations have been stopped or not.

Lord ORANMORE and BROWNE said, he had seen in *The Times* a statement with regard to the instructions which had been sent to the British Admiral. Was there any truth in it? From what appeared in that paper it might be supposed that it was known in the office of that paper exactly what the instructions were.

Earl GRANVILLE: I can assure your Lordships that no more instructions have been made known by the Foreign Office to *The Times*, or anywhere else, than have been communicated to your Lordships.

CATHEDRAL STATUTES (*re-committed*) BILL.—(No. 170.)

(*The Lord Archbishop of Canterbury.*)

REPORT.

Amendment *reported* (according to order).

The Marquess of Salisbury

Clause 3 (Alterations in draft statutes for Cathedral establishments, &c.).

Earl BEAUCHAMP, in moving an Amendment, limiting the power of revision of Cathedral Statutes conferred by the Bill upon the Privy Council, said, that when Statutes had been duly passed by Deans and Chapters all control over them passed to the Privy Council, which was given power to revise and alter the Statutes. By that means a Statute passed for one purpose by a Chapter might be so altered as to effect a purpose entirely different, and it was for the purpose of obviating that objection he now made this proposal.

Amendment *moved*,

In page 2, lines 16 and 17, to leave out ("in whole or in part and with such amendments as they may think requisite.")—(*The Earl Beauchamp.*)

The Bishop of CARLISLE said, that he was of opinion that it was desirable for the Privy Council to possess a power of amending Statutes submitted to them. There was no reason to suppose that that power would be exercised in a mischievous manner. It was taken for granted by the framers of the Bill that the Privy Council would act in friendly conjunction with the Dean and Chapter in the matter. He did not think that any principle was involved in the power of revision being intrusted to the Privy Council, rather than to the Deans and Chapters. Should the Amendment be carried, the Bill would not, however, be materially injured. As, however, he preferred the Bill as it was, he was not prepared to accept the Amendment.

On Question? *Resolved* in the *negative*.

Bill to be read 3^a *To-morrow*.

JUSTICES' JURISDICTION BILL.

(*The Lord Bramwell.*)

(NO. 172.) REPORT.

Amendments *reported* (according to order).

Earl COWPER, in moving an Amendment of which he had given Notice, said, its effect would be to extend the principle of the Bill. In his opinion, that principle might be extended in many cases, by which the time of the Assize Courts was at present very much wasted. In the first place, magistrates might try simple cases of fraudulent trustees, agents, and bankers. Complicated cases, such as the City of Glasgow Bank and other cases of fraud, by the issue of fraudulent prospectuses and information by directors and trustees, would still be tried as heretofore; but there were many simple cases, which might well be disposed of by magistrates. He proposed, also, that slight cases of felonious wounding should be placed under the jurisdiction of Quarter Sessions. Although, at present, they could try cases of assault, yet, if there were any evidence of an intention to inflict grievous bodily harm, they had not jurisdiction. The crime of bigamy, too, was one in which it was desirable there should be an option in the magistrate as to sending the accused for trial to the Assizes. Among the migratory poor, bigamy was often a venial offence, and was seldom of a complicated nature. The Bill was safeguarded by giving the magistrate the choice of sending to the Assizes, and there was a power of changing the place of trial, both in the Public Prosecutor and in a Judge of the High Court. With those safeguards he thought that there would be no fear that complicated cases would be sent to the Sessions. If magistrates were empowered to try such cases as he had mentioned, much waste of power would be avoided, the long detention of untried prisoners would be prevented, and the Winter Assizes, by which so much inconvenience was caused, might, perhaps, be dispensed with. The noble Earl concluded by moving the Amendment.

Amendment *moved,* in Clause 1, page 1, line 19, after ("burglary"), to insert—

("Also persons guilty of offences under the Act of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-six, sections seventy-five, seventy-six, seventy-seven, seventy-eight and eighty; also persons guilty of offences under the Act of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter sixty, section eighteen; also persons guilty of bigamy.")—(*The Earl Cowper.*)

LORD BRAMWELL said, he hardly knew how to deal with the proposal of the noble Earl (Earl Cowper), because he (Lord Bramwell) could not deny that Quarter Sessions might be safely trusted to try simple cases of the offences enumerated, especially that of bigamy. It frequently happened that cases of bigamy came before Judges of Assize, for which only a day's imprisonment was given. After, perhaps, being ill-used, poor women were frequently deserted by their husbands, and then re-married, their second husbands well knowing that they were married. Such cases as those might be well relegated to Quarter Sessions. But he had already made a jettison of "forgery" to save the rest of his cargo, and was afraid that the chance of passing the Bill in "another place" would be very much lessened if the Amendment were adopted; and, therefore, although he would not vote against it, he would be glad if it were not pressed.

THE LORD CHANCELLOR said, that, in his opinion, the Amendment, in its present shape, could not possibly be accepted.

LORD BRABOURNE submitted that the Bill should not be extended as proposed by the noble Earl (Earl Cowper), but that the Government should deal with the whole subject, as there were, no doubt, many cases that might be left to be dealt with at the Quarter Sessions.

EARL COWPER said, after the expression of these opinions by his noble and learned Friends (the Lord Chancellor and Lord Bramwell), he would withdraw his Amendment.

Amendment (by leave of the House) *withdrawn.*

Moved, after Clause 5, insert as a new clause—

"Provided that on every such removal by the public prosecutor he shall give notice thereof to all persons bound so to appear at such trial on every such removal by the person committed, the person bound over to prosecute shall give notice thereof to all persons bound so to appear at such trial."—(*The Lord Bramwell.*)

THE DUKE OF BUCKINGHAM said, that, in his opinion, if the onus of giving notice were thrown upon a private person, a failure of justice might sometimes result. He would suggest that notice should be given by the Clerk of the Peace.

LORD BRAMWELL said, his experience was that the policeman in charge of the case was almost invariably bound over to prosecute, and it would, therefore, be his duty to give notice.

THE EARL OF KIMBERLEY said, he would suggest that the Clerk of the Petty Sessions Division where the person was committed was the most fitting and convenient person to give notice to all persons bound to appear at the trial.

On Question? *Resolved* in the *affirmative.*

Bill to be read 3ª *To-morrow;* and to be *printed* as amended. (No. 174.)

SUPREME COURT OF JUDICATURE AMENDMENT BILL.—(No. 167.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to order).

Clause 1 (Short title) *agreed to.*

Clause 2 (Additional attendance in Court of Appeal).

On the Motion of The LORD CHANCELLOR, the following Amendment made:—In page 1, line 12, after ("or") insert ("who has held and does not for the time being hold.")

Clause, as amended, *agreed to.*

Clause 3 (Precedence of President of Probate, &c. Division).

Moved, "That the Clause stand part of the Bill."—(*The Lord Chancellor.*)

EARL CAIRNS said, he objected to the clause, on the ground that since the changes which had taken place by the abolition of the offices of the Chief Justice of England and the Chief Baron, and the transfer of the Master of the Rolls to the office he held in the Court of Appeal, there was no reason to make any distinctions in precedence; and, inasmuch as such distinctions must be of an invidious character, he thought they ought not to perpetuate them.

LORD BRAMWELL said, he also objected to the clause, and quite agreed with the noble and learned Earl (Earl Cairns) as to the invidiousness of such a distinction. He thought that it would be unreasonable that a Judge who might have been recently appointed Judge of the Probate and Admiralty Division should take precedence of Lords Justices appointed before him. At present the Lords Justices had precedence over the President of the Court of Probate; and, though the matter was not of great importance, he did not think this change should be made. Let them take his own case. He had been for 26 years on the Bench, and had the honour of being a Privy Councillor, yet, according to this clause, a young man who had been named President of the Probate Court would have been entitled to take precedence of him when he was a Lord Justice of Appeal. He could not see that any good would be gained by the change.

THE LORD CHANCELLOR said, that his motives in proposing the clause were not of sufficient force to make him press it against the objections of both his noble and learned Friends; but, at the same time, he certainly considered it desirable that the question of precedence should be settled. With respect to the objection of his noble and learned Friend (Lord Bramwell), he (the Lord Chancellor) must say he did not think it probable that the office of Judge of the Probate and Divorce Court was ever likely to be filled by some gentleman lately called to the Bar. The course hitherto had been to appoint a person whose services had already been valuable, if not a Privy Councillor, at all events, one whose position would command general respect, and he was an *ex-officio* Judge of the Court of Appeal. As the other *ex-officio* members of the Court had precedence, it had been thought desirable, in settling precedence, that this Judge also, when he became an *ex-officio* member of the Court, should rank next to them. However, he would consider the matter further, and on the Report would bring up the clause in an amended form, which he thought would meet with approval.

On Question? *Resolved* in the *negative.*

Clause *struck out* accordingly.

Clauses 4, 5, and 6 severally *agreed to.*

Clause 7 (Amendment of 36 & 37 Vict. c. 66 s. 91).

On the Motion of The LORD CHANCELLOR, the following Amendment made:—In page 2, line 4, after ("act,") insert ("as amended by section ten of the Supreme Court of Judicature Act, 1875.")

Clause, as amended, *agreed to.*

The Report of the Amendments to be received *To-morrow;* and Bill to be *printed* as amended. (No. 179.)

VAGRANCY BILL.—(No. 161.)

(*The Earl Stanhope.*)

SECOND READING.

Order of the Day for the Second Reading read.

EARL STANHOPE, in moving that the Bill be now read a second time, said, that it had already passed the other House, under the auspices of Mr. Pell and Mr. Bryce. He might, by way of explanation, state that its object was two-fold—first, to give the Boards of Guardians power to detain casuals making a first application for relief for one day; and, secondly, in the event of its being found that they had had obtained admission on false and fraudulent pretences, or under a false name, the Bill gave the magistrate power to impose penalties. The Bill was aimed at the class of professional tramps and vagabonds who gave so much trouble in different counties, roaming about from place to place, and who, when travelling through the country, used the workhouses as lodging-houses from which they might, when comfortably refreshed, start out upon their travels. In Kent, as he knew by experience, the vagrants regarded the workhouses as convenient lodgings for the night during their journey from London to the seaside, and that, no doubt, was the case in many other counties. In order to put a stop, if possible, to the practice, the Bill also proposed, in the event of a second application, that the Board of Guardians should be empowered to detain the "casual" at work for five days, instead of three days, as was at present legal. That provision, he thought, would be exceedingly useful in rendering the workhouses less agreeable to tramps and vagrants than they were at present. In conclusion, he might say that the Bill had the full approval of the Government, and he would now move the second reading.

Moved, "That the Bill be now read 2ª."—(*The Earl Stanhope.*)

THE DUKE OF RICHMOND AND GORDON said, the proposed change in the law was of a very large nature; and he hoped their Lordships would pause before giving a second reading to a Bill which appeared to him to be a Bill which would simply give the Boards of Guardians in every Union throughout the country power to imprison and keep in the workhouse for five days anyone who, within a given space of time, should be so imprudent as to apply for relief a second time as a casual. That was entirely opposite to the usual policy by which the Poor Law was administered, and would have the effect of turning workhouses into gaols, which was most certainly not intended to be their primary use. For himself, he declined to give Boards of Guardians the power of confiscating any man's liberty for five days. He fully admitted the existence of the evil which the Bill was designed to remedy; in fact, no one knew better than he did the evil that existed in the large numbers of vagrants who travelled through the country; but where these people did not behave themselves, and where they made fraudulent representation in applying for relief, they should be sent to gaol. He objected not only to the main principle of the Bill, but to Clause 5; because he did not think they required an Act of Parliament to tell the Local Government Board what arrangements they should make for classifying the paupers in workhouses. He therefore trusted their Lordships would not give a second reading to the Bill; for, on the whole, he thought it was one to which the House ought not to accede. The fact that the Bill had passed the other House was no reason why their Lordships should be called upon to pass it.

THE MARQUESS OF SALISBURY said, that the Conservatives in their Lordships' House were not often a divided Party; but, on this subject, there was, he regretted to say, a profound division between himself and his noble Friend who had just spoken (the Duke of Richmond and Gordon). He (the Marquess of Salisbury) could not help thinking that upon this question the opinion of noble Lords would vary according to their residence in the various counties, and the different circumstances of those counties with regard to pauperism and vagrancy. For instance, his noble Friend might live in a county where there were comparatively few tramps or "casuals" calling at the workhouse, and where they were not very troublesome.

THE DUKE OF RICHMOND AND GORDON: Just the contrary.

THE MARQUESS OF SALISBURY said, allowing it was so, he (the Marquess of

Salisbury) might say that he lived in a county where they had become perfect pests, and he was sure that Hertfordshire was by no means singular in that respect. The magistrates and police concurred in stating that the evil became deeper and deeper year after year. It was not that the paupers and tramps went to the workhouses legitimately for relief, but they made them the basis of a vast mendicancy campaign. Either the workhouses had become more pleasant to the vagrants than they used to be, or the vagrants themselves had become more tolerant of the treatment they received, and of the means used by Boards of Guardians for the purpose of keeping them out. Formerly, the great mainstay of the British Constitution with regard to a vagrant was washing him. It used to be thought that if they washed him frequently, and made the water cold enough, they would drive him away; but that resource had failed, and the vagrant went to his bath with the utmost courage. His noble Friend demurred to making the workhouses gaols, and wished offenders against the Vagrancy Laws to be sent to gaol; but he (the Marquess of Salisbury) would point out the inconvenience of adopting such a course, because they had the workhouses spread all over the country, whereas they only had one or two gaols in a county, and the vagrants whom they wished to discourage would first of all have to be sent to petty sessions, and subsequently to gaol. He could hardly speak too strongly of the amount of evil that was done to rural districts by the increased numbers of vagrants and mendicants, and in justice to the ratepayers of a county some less cumbersome remedy should be provided by the Legislature.

Earl FORTESCUE also supported the Bill, observing that if workhouses were to be made either prisons or commodious hotels, he should prefer the former alternative. The ratepayers required some protection against vagrants, and ought not to be compelled either to support them in prison or to pay for their wanderings from one workhouse to another. He was satisfied that the Bill was one that would be likely to have a useful and beneficial effect in saving the money of the ratepayers.

The Earl of LONGFORD said, he should like to know whether there was any good reason for the 3rd clause, which exempted Scotland and Ireland from the operations of the Bill? He thought if the Bill were to pass, Scotland and Ireland should be included under its operation; in fact, he considered it was unjust to Ireland that her name should be left out of the Bill, for he could inform their Lordships that there existed there a class of vagrants whom it was desirable to intercept in their journeys through the country.

Lord CARRINGTON said, that whatever might be the effect of the Bill, it would inflict no hardship on the *bonâ fide* casual. He would also remind their Lordships that this was an optional measure, and that it was not at all likely that the vagrants would be detained in every case, or that they would be many in number.

The Duke of RICHMOND and GORDON remarked that that was not his idea of an optional measure—a measure to detain a vagrant in a workhouse for five days.

The Earl of KIMBERLEY said, he would explain that the measure was not optional so far as the vagrants themselves were concerned, but it was so far as the Guardians were concerned. He had no difficulty in adding his testimony to that of the noble Marquess opposite (the Marquess of Salisbury) as to the extent of the evil, for in the part of the country where he resided (Norfolk), the people suffered greatly from vagrants, and their number was continually increasing. Although the Bill might not do much to remedy the evil, it was worth while, at all events, trying the experiment; and there was nothing in it which appeared to be a hardship to the vagrant himself.

Lord DUNSANY said, that if it were not for the workhouses, people going through the country in search of work would have to put up in lodging-houses of the lowest class, perhaps the hotbeds of disease, which they would disseminate through the country.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

THE HOUSE OF LORDS—REPORTING—ACCOMMODATION FOR THE REPORTERS.—RESOLUTION.

Earl BEAUCHAMP, in rising to move the Resolution of which he had given Notice on this subject, said, that his great object was so to place the reporters that they might be enabled to hear, and, therefore, accurately report, the proceedings of their Lordships' House, for owing to the acoustic qualities of the House it was difficult, if not impossible, for them to do so at the present moment. A Select Committee had sat on the subject two years ago, and, after giving it full consideration, had suggested various expedients that might be tried in order to facilitate the work of the reporters. As the result of the Report of that Committee, parts of the side Galleries had been temporarily appropriated to the reporters towards the end of the Session; but he did not consider that experiment afforded a fair test of the benefit of the change, for the simple reason that that experiment was made near the end of the Session, and that there were not more than one or two debates which could afford the reporters an opportunity of testing the change. He recollected that, upon that occasion, the noble Earl the Chairman of Committees (the Earl of Redesdale), had read a letter to the House from the reporters, in which they expressed themselves against the change; but he believed that since that time there had been what some persons termed a revolution, and others a reform, of the Gallery, and that what was not desired by them then was very much desired now, for nothing had been done since, and the evils of inadequate reporting and inadequate accommodation for the reporters still existed. At any rate, some change was necessary, seeing that serious complaints had been made. Considering the very indifferent acoustic qualities of the House and the difficulties which the reporters had in conveying to the public a perfectly accurate report of their Lordships' speeches, and especially of Ministerial replies, which were telegraphed immediately all over the world, and a mistake in which might be productive of serious consequences, they ought to give the reporters every assistance they could in their endeavours to report their Lordships' speeches accurately. He remembered that the question was considered one of very great interest two years ago, and he thought it advisable to take up the question where it was left at that time. What he proposed was merely by way of experiment; but with a view to making permanent arrangements and arriving at a satisfactory result. With a hope that the proposal then made would receive a fair trial, he would move the Resolution of which he had given Notice.

Moved, "That until the end of the Session the reporters be provided with temporary accommodation on each side of the Peers' Gallery under the two centre windows." — (*The Earl Beauchamp.*)

LORD DENMAN said, that he was against the proposed change; because he did not think that the experiment tried last year had caused any improvements in the reports of speeches, some of which were now very well reported. The reporters inserted what they chose, and omitted whatever displeased them. He (Lord Denman) thought that it was not desirable that the representatives of Peers — Princesses and Peeresses and their daughters—should find their seats occupied and the cushions pressed by the feet of reporters, especially in the interesting debates which might be expected to arise before the end of this Session, unless the system carried out in "another place" should prevail. The four windows were about the very best part of the Peers' Gallery, and he (Lord Denman) did not see any sound reason for the proposed change.

THE EARL OF CARNARVON said, that two years ago the Select Committee which was appointed had fully considered this question, and had made the recommendation in question; but, although he (the Earl of Carnarvon) thought some remedy should be provided for the present inconveniences, he did not quite agree with the proposal of his noble Friend (Earl Beauchamp) to displace the Peeresses from the Galleries in the most conspicuous part of the House, and to interpose two bodies of reporters between them, or to relegate them to the end of the House; for the result of it, if adopted, would be that the speakers on either side of the House would be quite inaudible to the reporters behind them, and that would necessitate a double staff of reporters, or else require rapid travelling of the reporters from one side of the House to the other in the short space of 40 seconds. With regard to that point, it had been suggested that there should be some means of rapid transit from one Gallery to the other; but how that could be done did not appear; and yet, certainly, it would be necessary when an animated discussion took place between his noble Friend the noble Marquess (the Marquess of Salisbury) and the noble Earl opposite (Earl Granville). If it could not be done it would be impossible for the reporters to do justice to their remarks. He would also ask their Lordships to consider a further objection—namely, that by the adoption of the proposal, the House would undergo very great loss, not to say injury, to its architectural effect, if a Gallery were to project from either side, for that was one of the very few rooms which could be looked upon with satisfaction in an architectural point of view. In his opinion, not much fault could be found with the acoustic properties of the House, and they were not so bad as they were alleged to be. He had himself sat there now for a considerable number of years, and he thought, on the contrary, that the House was very well constructed for acoustic purposes. The only thing required was that the speakers should speak clearly and distinctly. He could remember hearing the late Lord Lyndhurst, when in extremely old age, delivering those famous speeches which one could look back upon with pleasure and satisfaction, and in which every single syllable was reported without an omission through their being so clearly spoken. Then, in the case of the late Lord Derby, everything he said was reported without fail, and he could name many more speakers who had stood in the same position. If the House would, during a debate, remain perfectly silent there would be no difficulty in having speeches accurately reported. The difficulty really arose from the fact that there was a constant hum of conversation in the House. Many noble Lords made it a place of resort where matters of business and other arrangements could be talked over, to the great inconvenience both of the speakers and of the reporters. That could be remedied. In the Report of the Committee of which he was Chairman, it was recommended that the officers of the House should take care to carry out the requirements of the Standing Orders by enforcing silence. If that recommendation was acceded to, and the officers of the House would do their duty, then a great part of the present inconvenience would be remedied. There was one other difficulty which it was not so easy to cure. The Woolsack was at one end of the House while the reporters were at the other. If the two seats could be brought into juxtaposition a great improvement might be effected. Subject to those remarks, he was of opinion that his noble Friend had not made out his case, and he certainly strongly objected to material alterations being made in the structure of the House.

Earl GRANVILLE said, he agreed with a great deal of what the noble Earl (the Earl of Carnarvon) had said as to there not being much fault to be found with its acoustic properties. But there was no doubt that the hearing was bad, and that it was often very difficult to report the speeches—though through no fault of the reporters, and not always through the fault of the speakers. There was a large space below the Reporters' Gallery filled with strangers whose conversation competed with the speaker. The noble Marquess opposite (the Marquess of Salisbury) himself had given evidence before the Committee, and had said how inconvenient it was that important speeches and also important answers to Questions on Foreign and Colonial Affairs should not be accurately reported. It was, no doubt, extremely desirable that their answers to Questions should be correctly reported. The noble Earl said that he had presided over the Committee, and the Committee had made many excellent recommendations, but not one of them had been adopted. It now appeared that there was a desire to have the experiment which was made last year repeated. That experiment was tried, and only one debate took place afterwards. That might be done. The expense would not be very serious, and the structure of the House would not be affected in the slightest degree. It was, in his opinion, very important for the general character of the House that its debates should be well reported, and, therefore, he thought it would be valuable to the House to have the experience of the rest of the Session, and to try the experiment again; and he understood from the noble Earl (Earl Beauchamp) that such was the desire of the majority of the reporters. It would be desirable next year to re-appoint the Select Committee which sat to consider the subject two years ago.

Earl CAIRNS said, he hoped their Lordships would hesitate very much before they adopted this Resolution. He was most anxious that everything right and possible should be done to facilitate the important and difficult work of the gentlemen who reported their debates; but he did not believe either that the reports were themselves defective, or that the means of reporting were open to the observations of censure that had been made. Where debates of importance arose on subjects that were attracting great interest in the country he had always found that the speeches made were extremely well reported. He did not agree with what had been said in depreciation of the acoustic properties of the House. They were not, perhaps, so good as in some other buildings, or as in the House of Commons; but he thought that where there was a reasonable amount of attention and an absence of noise—he would say of foreign noise—there was a great deal to be said in favour of the acoustic qualities of that room. What he objected to most strongly in the noble Earl's (Earl Beauchamp's) Resolution was that his proposal was put forward as a temporary measure; but if it proved successful, then they were going to make it absolutely permanent, and the success of the experiment would be its greatest objection, for it would be the absolute ruin of that House. Though he did not mean to say that much might not be done, he was strongly of opinion that the reporting should not be conducted in blocks of Galleries projecting from each side of the House. The moment they had a Reporters' Gallery on each side of the House there must be seats, desks, and arrangements as in the present Reporters' Gallery, and arrangements of that kind would be quite fatal to the beauty of the House. He had always held that it would be a great improvement if the side Galleries were extended more than they were now, so as to afford two rows of seats for Peeresses and other persons who were entitled to sit and hear the debates, because he believed that could be done without spoiling the architectural appearance of the House. He believed that if the side Galleries were extended in that way they would act as sounding-boards, and would improve very much the acoustic qualities of the House. It was said that by giving accommodation to reporters in the side Galleries, the space occupied by the present Reporters' Gallery would be gained; but that did not answer the objections to this proposal. Reporters at the end of House, over the clock, would hear very much better a speaker who was speaking from the Bench behind him than a reporter on that (the Opposition) side of the House, because the speaker would stand with his back to him. But then it was said the reporter could go round to the opposite Gallery. That implied that there would be seats for all the reporters on both sides of the House. Suppose an important Question on which, to repeat an expression which had been made use of, the fate of nations might depend was to be asked and an answer given by a Minister; there must be a stampede of reporters the moment they had got the words of the Questioner in order that they might catch the words of the Minister. Such a proceeding would be simply ludicrous. He thought it would be a much wiser course, as the Session was far advanced, to appoint at the beginning of next Session a Committee similar to that which had already reported, and which Committee, having heard the views of the reporters themselves, might make recommendations for improved facilities without injuring the structual beauty of the Chamber. The noble Earl (the Earl of Carnarvon) said that nothing had come of the recommendation of that Committee. That was the fault of the Government. When a Committee made recommendations it was the duty of the Government, and not of individual Members of the House, to act upon the Report of the Committee.

Lord SUDELEY: My Lords, having been a Member of the Committee which met two years ago on this subject, and having taken some interest in it, I hope your Lordships will allow me to make a few remarks. The noble and learned Earl who has just spoken (Earl Cairns) has objected in strong terms to the bare idea of the reporters being in the side Gallery, because he thinks a projection of the side Gallery would be so unsightly as to spoil the architectural beauty of your Lordships' House. The noble and learned Earl has himself again advocated that the side Gallery should be widened so as to allow for two rows of Peeresses—a proposal he first made two years ago. If this were done, the Gallery would, I believe, be wider and projected further into the House than was deemed necessary by the Committee for the small portion in the two bays required for the reporters. As will be seen by the plan, the utmost that is necessary would be a projection of one foot nine inches. The question of the heavy woodwork or screen, which the noble and learned Earl thinks would be necessary and look hideous, might be settled by having a brass grill very similar to the present brass-work. It seems to me, my Lords, perfectly clear that the widening of this little piece could not be so unsightly as widening the whole Gallery in the way proposed by the noble and learned Earl, and I think that this objection, therefore, falls to the ground. The noble and learned Earl then speaks of the acoustic properties of the House as being by no means deficient, and states that, on the occasion of interesting debates, good speakers can always be heard. In reply to that, I will only say that by the evidence brought before the Committee, your Lordships will see that the strongest testimony was given by one after another of the reporters, that the acoustics of the House are bad, and that the position they (the reporters) are placed in does not enable them to hear properly the ordinary debates in your Lordships' House. It is perfectly true that on important nights it is not difficult to hear certain Peers, who speak out and with a clear voice, when the House is quiet and attentively listening. As the noble and learned Earl is himself one of the special exceptions comprised under this head, it is not surprising that he usually finds himself well reported; but I maintain that in regard to the ordinary Business of the House the reporters are unanimous that the difficulty is very great and intolerable. It seems, my Lords, as if the Members of the Committee on Reporting are looked upon as the natural enemies of the House; and I confess I despair of any proposal whatever to remedy the defects ever being acceptable to the majority of your Lordships' House. One thing I can say—that the Members of that Committee sat continuously over some weeks, took a great deal of weighty evidence, and deliberated upon the subject with great care and earnest attention. The noble Earl who brought forward this Motion was Chairman of the Committee, and has lately received a letter from a committee of the reporters, showing clearly that every one of them sitting in the Gallery is dissatisfied, and is anxious for this experiment to be made. Further, it is quite certain that if newspapers are to be allowed and expected to obtain fair reports, considerable alteration must be made in the accommodation and position provided. I will not trouble your Lordships by going into the other matters proposed by the Committee; but I venture to think that if the Report and Evidence taken before the Committee are read, it will be seen that the Committee took great pains to arrive at a satisfactory result.

THE MARQUESS OF SALISBURY: I think, my Lords, that there are some considerations which are powerful against this Motion. The proposal for a locomotive body of reporters, who, if they are to keep up with the rapid changes of debate, must keep up with something more speedy than their own legs, in running from one side of the House to the other, in order to obtain reports of what is said, is one that is hardly likely to work well. I therefore hope the noble Earl (Earl Beauchamp) will not go to a division. I do not know what the result of a division would be; but I think it would be wiser to withdraw the Motion, and to refer the matter to the Black Rod Committee, in order to hear the reporters on the subject. In that way, their views upon the subject might be accurately ascertained, as well as any proposal they may have to make upon it. I am bound to enter a protest against one principle which seems to me to have been laid down by the noble and learned Earl beside me (Earl Cairns). I have a very great respect for the architectural proportions of this House; but I cannot allow purely æsthetic considerations to overbear every other, and I must say that I would rather be in an ugly house where I could hear, than in a handsome house where I could not. I do not think the acoustic qualities of the House should be allowed to suffer for the sake of its architectural beauties. There is one other thing, however, which we ought to bear in mind. The beauty of this House may be very great, but the habits of this House are very bad; and there are some noble Lords who, while the House is sitting and endeavouring to proceed with its Business, make up for a good deal of their taciturnity, so far as public speaking is concerned, by a large amount of private conversational eloquence. The consequence is that unless a speaker exerts himself very considerably it is very difficult to hear him. I feel some embarrassment in this case. As a Member of the Conservative Party, I do not wish to interfere with the ancient arrangements of this House ; but my own opinion is very Radical on this subject. I believe there will be found nothing suitable to the proceedings of Parliament but an official report, and that the official reporter should be placed at the Table of the House. It is somewhat extravagant, if not ridiculous, that every word spoken before a Select Committee, either by a Member of that Committee, or by a witness before it, should be carefully taken down by a shorthand writer and printed; while, as to the proceedings in the two Houses of Parliament, on which I will not, like my noble and learned Friend, say "the fate of nations," but on which, at all events, the most important diplomatic issues may depend, and where the very words uttered are used in favour of or against the rival statesmen of the day, and they are judged before the constituencies by what is said there—I say it is somewhat extravagant that of what is said in Parliament there should be no formal or official record—no record that pretends to be complete. I am sure that to an official record we must in the end come, though I am persuaded that the chief difficulty is that the House of Commons is perfectly terrified as to what the results of an official report would be. Had the matter, however, depended on the House of Lords, a decision would have been reached long ago. For the reasons I have stated, I think that for the present no better course could be adopted than to ascertain what the wishes of the reporters actually are upon the matter.

EARL BEAUCHAMP, in reply, said, that the remarks of noble Lords were intended to affect the opinions of the country; but that could not be done unless satisfactory reports were given of those remarks. The reporters complained bitterly of the present want of accommodation, and he had submitted the matter to their Lordships. If the House was disposed to wait for better reports till their Lordships spoke with distinctness, their prospects of getting them would be very bad; but the late Lord Beaconsfield, whose articulation was remarkably distinct, had once complained to him very much of an inaccuracy in the report of a speech he had made. The suggestion as to reporters running from one Gallery to another had nothing to do with the present proposal. It was a semi-jocular proposition made on a previous occasion. This matter really pressed for solution; but, after the discussion that had taken place, he would not trouble their Lordships to go to a division unless he got more support. He had not moved in the matter by any desire of his own, and the treatment he had received would cause him to retire with a keener appreciation of the couplet—

> "They who in quarrels interpose
> Must oft expect a bloody nose."

Motion (by leave of the House) *withdrawn.*

LAND LAW (IRELAND) ACT, 1881—SECTION 59—LOANS TO IRISH LANDLORDS.—QUESTION.

LORD ORANMORE AND BROWNE: I wish to ask the Lord Privy Seal, Whether it is a fact that, in respect to the advances made to landlords in settlement of arrears under the 59th section of the Land Act (Ireland), 1881, although applications were sent in, according to the Act, before 25th of February last, which applications were drawn up in accordance with the rules issued by the Land Commission, tenants' signatures being in each case witnessed by either a Poor Law Guardian, solicitor, or a magistrate, and the whole application duly verified and sworn to by either the landlord, or his agent on his behalf, that since the introduction of the Arrears Amendment Bill, 1882, that the Head Commissioners have thought fit to issue in each case circulars to the tenants, stating that unless he, the tenant, objects, the amount will be paid to the landlord within seven days, and his holding charged with the advance, repayable by instalments, in 15 years; and that is it true, if the tenant replies to this circular objecting, that the Commissioners will not grant the advance to the landlord; and that, in consequence of the issuing of this circular, the tenants, particularly in the county Mayo, have, as a body, objected, and that the landlords cannot get any of the advances applied for now from the Commissioners; and, if this is true, why it was that the circular was not issued to the tenants immediately after the application was sent in, and not delayed until after the introduction of the Arrears Amendment Bill; and why the Commissioners have paid the amount of some of the applications without issuing these circulars; and now what steps they propose to take in cases where, after the tenant signs the application in the presence of the necessary witnesses according to the Act, and sworn to afterwards by the landlord, or his agent on his behalf, and that he now objects to this advance being made, will the Commissioners hold his objection to be good, and not grant the advance to the landlord, thereby allowing the tenant to set aside and repudiate his contract?

Lord CARLINGFORD (Lord Privy Seal), in reply, said, the Question of the noble Lord (Lord Oranmore and Browne) was a very portentous one, as regarded its dimensions, at first sight; but it was legitimate to ask it. He (Lord Carlingford) had submitted it to the Land Commissioners in Dublin, and they had, he believed, mastered it. The most important part of the information which he had received was that the noble Lord had been entirely mistaken in supposing that the circular referred to in his Question had anything whatever to do with the Arrears Bill. The circular was adopted many months ago, when there was no Bill dealing with arrears before Parliament, and it had been acted upon since. It was true that in many cases there had been considerable delay in issuing the circular—in other words, that the circular had not been sent to the tenant for a considerable time after the first application for a loan. The explanation of that was that in almost every case the application had proved to be inaccurate, and had been sent back in order that inquiries might be made, and that it might be revised and subsequently dealt with. All this had caused delay in dealing with the cases for loans; but that delay had not arisen from any cause such as was suggested. In every case in which a loan had been issued, or an advance finally sanctioned, the circular had been sent to every tenant interested for signature. The circular itself was framed by the Commissioners as a precaution, as they were anxious that there should be no misunderstanding when a tenant proposed to bind himself to pay an increase of rent for a considerable number of years for the purpose of those advances. He found that the noble Lord was not accurate in saying that the great bulk of the tenants, particularly in Mayo, had objected upon receiving the circular in question. The contrary was the case; and the Commissioners said, with regard to the two estates from which the largest number of applications came, that from the one there were only 10 objections, while the applications numbered 163; and that from the other there was not one objection, though the number of applications amounted to 112. The Commissioners did not treat an objection as conclusive, but as a ground for further consideration and inquiry. In conclusion, he would repeat that the circulars had nothing to do with the Bill before Parliament. All these cases would be subjected to that Bill if it became law.

House adjourned at a quarter before Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 6*th July*, 1882.

MINUTES.]—Ways and Means—*considered in Committee*—Coffee or Chicory.

Public Bills—*Resolution in Committee—Ordered—First Reading*—Beer Dealers' Retail Licences Act (1880) Amendment * [229].

Ordered — First Reading — Friendly Societies (Quinquennial Returns) * [228].

Second Reading — Election of Representative Peers (Ireland) * [215].

Referred to Select Committee — Agricultural Tenants' Compensation (No. 2) [80].

Committee—Arrears of Rent (Ireland) (*re-comm.*) [213]—r.p.; Settled Land (*re-comm.*) * [223] —r.p.

Committee — Report—Considered as amended — Third Reading—Public Offices Site [221], and *passed.*

Third Reading—Bills of Exchange * [211], and *passed.*

PRIVATE BUSINESS.

LONDON RIVERSIDE FISH MARKET BILL (*by Order*).

Mr. RITCHIE said, he wished to put a question to the Speaker on a point of

Order in reference to a Private Bill. He was present yesterday when the Lords' Amendments to the London Riverside Fishmarket Bill were down on the Paper for Consideration; but, as there was an Amendment in his name, the Consideration was postponed until to-day. He sat upon the Front Opposition Bench, and heard everything that went on. The Speaker put the Question to the House, "That the Bill be taken into Consideration To-morrow,"—meaning that day (Thursday). But now upon looking at "the Votes and Proceedings" issued that morning he found that, instead of the word "Thursday," the word "Monday" had been inserted, and the Bill was ordered to be considered on Monday next. It seemed to him that the alteration must have been made in a manner altogether irregular; because the House had agreed that the Bill should be considered that day, and he took it that no other authority except the House itself could alter such a decision. It would be interesting to the House to know by whose officious zeal the Order of the House had been set aside. There were a great many Members who were interested in the matter, and they had been told by him that it was set down for Consideration that day, and that it would certainly be considered. Indeed, many Members had come down under the impression that the Bill was to be taken. That, however, was not altogether the point, although, as a matter of convenience, it was an important one. What he wished to urge was, that the Orders of the House had been altered by someone unknown, and without the authority of anyone in the House; and he wished to know whether such a proceeding was not altogether irregular?

MR. SPEAKER: I apprehend that what has taken place is this—the Bill in question having been ordered to be taken into Consideration to-day, no doubt that Order should appear on the Minutes of the day, and the Bill should have been set down for Consideration this day. The promoters of the Bill, having conferred with the parties interested, have agreed, for the convenience of parties concerned, that the Consideration of the Bill should be postponed until Monday next. But, having taken that course, I think it would have been an act of courtesy, at all events, to the hon. Member who had given Notice of objection to the Bill to have notified to him in due time the postponement.

SIR CHARLES FORSTER said, that he was not in the House when the Bill was moved, and therefore he could not speak personally as to the facts; but he believed that the Speaker had given an accurate representation of what had taken place. He thought the hon. Member for the Tower Hamlets (Mr. Ritchie) had been treated with very scant courtesy, and that he had a very fair ground of complaint.

MR. RITCHIE wished to ask the Speaker, in reference to what had occurred, whether it was competent for him, or any other hon. Member, to move that the Votes and Proceedings be amended so that the word "Thursday" be inserted in place of "Monday," because it was perfectly certain that in the form in which it now stood the entry in the Votes was an incorrect Minute of the proceedings which took place yesterday?

MR. SPEAKER: The hon. Member proposes to amend the Order Book. I do not see very well how that could be done, because, of course, it would involve the consideration of the Bill now, which would be quite out of Order.

MR. RITCHIE said, he had thought that the Bill might have been considered now, and then postponed until Monday, in the ordinary and regular way.

QUESTIONS.

METROPOLIS—THE REGENT'S CANAL.

MR. BRYCE asked the President of the Board of Trade, Whether his attention has been called to the unprotected condition of the banks of the Regent's Canal in Mile End, and to the frequent accidents which happen there owing to the absence of proper walls or fences between the canal and the public streets; and, whether he will take steps to require the proprietors of the canal to have it adequately fenced, and the safety of the inhabitants of the district thereby secured?

MR. CHAMBERLAIN, in reply, said, that the Board of Trade had no authority whatever to interfere in the matter.

PUBLIC HEALTH (METROPOLIS)—INCREASE OF TYPHOID FEVER AT THE WEST END.

MR. HENEAGE asked the President of the Local Government Board, Whether his attention has been called to the numerous cases of typhoid and other illness arising from want of proper precautions in the drainage of houses and stables in the west end of London; and, whether he is aware that many well known and experienced medical practitioners and house agents consider that the present want of proper sanitary inspection is owing to the omission of London from the Public Health Act of 1875, and that some Act for the better sanitary supervision of London is urgently required in the interests of the public health?

MR. DODSON: Sir, I have received no information as to the alleged prevalence of typhoid and other diseases owing to the want of proper precautions in the drainage of houses and stables in the West End of London, and if such were the fact, it is not likely to come officially before me. Neither the sanitary authorities nor their officers make any reports to me on the sanitary condition of their districts, nor have I any jurisdiction to require them to do so. I do not know to what cause the well-known medical practitioners and house agents to whom my hon. Friend alludes attribute the present want of proper sanitary inspection, or what legislation they consider necessary. At the same time, I am quite disposed to admit that the sanitary supervision of the Metropolis ought to be placed on a better footing.

POLICE SUPERANNUATION BILL—THE PENSION FUND.

SIR MASSEY LOPES asked the Secretary of State for the Home Department, What is the estimated amount of the fines or other receipts now paid into the Imperial Exchequer from the counties, boroughs, and metropolitan district, respectively, which it is proposed, under Clause 14 of the Police Bill, to transfer to the Pension Fund; and, whether he can state what is the estimated amount of the fees, fines, penalties, or other receipts, referred to in the said Clause, not at present paid to the Superannuation Fund, but which it is intended to divert from the police rate, or county rate, for the purposes of the new Pension Fund?

MR. HIBBERT said, that, with reference to the first part of the Question, there were no fines or other receipts now paid into the Exchequer from the counties and boroughs which could be transferred to pension fund. There was a sum of about £3,500 in the Metropolitan district, which would be transferred, under the clause referred to, to the Pension Fund of the Metropolitan police. With respect to the second portion of the Question, he had to state that from the particulars given in the Return just issued, and from the information in the hands of the Home Office, it was calculated that a sum of £64,500 would be diverted from the borough and county funds in other parts of the country to the Pension Fund. Of this sum £20,000 would be taken from fines in counties and boroughs, and about £9,000 would be taken from the fees for pedlars and chimney-sweepers' certificates, also in counties and boroughs. Then there would be about £35,000 taken entirely from the counties from fines for drunkenness and occasional services of the police, and about £900 for forfeited recognizances. He was sorry that was only a rough estimate; but he hoped shortly to be able to give more detailed information.

JAMAICA—THE SEIZURE OF THE "FLORENCE"—THE LEGISLATIVE COUNCIL.

MR. SERJEANT SIMON asked the Under Secretary of State for the Colonies, Whether the proposal of the Governor of Jamaica to the Legislative Council of that island to pay, out of the Colonial Exchequer, the damages and costs awarded for the seizure of the foreign vessel "Florence" and her cargo, was rejected in consequence of the resignation of two members of the Council holding important offices under the Crown who, rather than vote for the proposal, gave up their seats in the Council, and of the refusal of another member, the Commander of the Forces, an ex-officio member, to support the proposal, and who did not vote; whether the resignation of the two members have been accepted, and their places filled up; and, if not, if he will state the reason why; whether it is the intention of Her Majesty's Government to follow the precedent in the case of the foreign vessel "La Have," and recoup the sum stated by the late Under Secretary of State for the Colonies to have been "provisionally" paid by the Governor out of the local Exchequer "in order to save interest;" whether there is any objection to lay the Correspondence before the House; and, when the Return relating to the Revenue and Expenditure of Jamaica, promised early in the Session, will be printed and distributed?

MR. EVELYN ASHLEY: Sir, the statements contained in the Question are substantially correct. The resignations referred to have not yet been accepted, and the matter is still under consideration. As to the question of recouping the money, nothing is yet finally decided; but we hope within a few days to send out to Jamaica a proposal which we believe to be just, and hope will be satisfactory. The main portions of the Correspondence will be given if the hon. and learned Member wishes for it. The Return relating to the Revenue and Expenditure of Jamaica is bulky and complicated, and takes some time to prepare; but it shall be laid on the Table as soon as ever we can complete it.

PAYMENT OF WAGES ACT (1880)—FISHING VESSELS—DESERTION OF MEN.

MR. BIRKBECK asked the President of the Board of Trade, Whether, taking into consideration the great losses sustained by owners and crews of fishing vessels since the passing of the "Payment of Wages Act, 1880," on account of the desertion of men when the vessels have been on the point of sailing for the fishing grounds, and the inefficiency of the only remedy suggested by the Act, viz. the institution of civil proceedings against the offenders for the recovery of damages which, in the majority of cases, are not likely to be recovered, he will so far amend the said Act as to exempt fishermen from its operation?

MR. HENEAGE asked the President of the Board of Trade, Whether, inasmuch as the section of "The Merchant Seamen's (Payment of Wages, &c.) Act, 1880," abolishing the punishment of imprisonment for desertion from fishing vessels on the point of sailing, was not inserted until after the Bill had passed through Committee; and that such consternation was caused in the fishing interest on its becoming generally known, that a Circular was issued by the Board of Trade, purporting to show how smackowners could escape this particular section of the Act; and, whether the Board of Trade is aware that test cases were tried, under the advice contained in the Circular, and that they have all signally failed to bring the offenders to justice, and that, as this section is inflicting heavy loss, not only on those whose capital is employed in the fishing trade but also on the seamen themselves, as the absence of one man or boy prevents the whole crew from going to sea, and deprives the remainder of their share in the earnings of the vessel, whilst any personal remedy against the deserters is utterly valueless, as they abscond in the clothes of their employers and have no goods to distrain upon, the Government will take some steps to prevent an important interest from being seriously injured by hasty legislation?

MR. CHAMBERLAIN, in reply, said, that both Questions seemed to him to contain disputable matter with which he was not to be supposed to agree. He must point out that the imprisonment section of the Payment of Wages Act of 1880 was not, as supposed, inserted after the Bill had passed through Committee. The subject of it was discussed on June 1, 1880, on the second reading of the Bill, and again on June 24 in Committee. It was then agreed that clauses dealing with it should be brought up at the next sitting of the Committee. This was done on July 15, after the clauses had been on the Notice Paper for a considerable time. They were agreed to in Committee, after some discussion. No Circular was issued "to show smackowners how to escape the provisions of the law." The object of the Circular issued was to remove misapprehension on several points as to what the law really was. He was not aware that test cases under this Circular had been tried and had failed, though he was aware that certain cases had been tried at Hull, and that the magistrates had held that an apprentice was liable to a month's imprisonment for wilfully disobeying commands. As to the main point raised by both these Questions, he had to say that the Government were not prepared to re-enact on behalf of a particular class of employers engaged in the fishing trade, and as against a particular class of seamen, the anomalous provisions of the old law, which gave the power of arrest without warrant and of summary imprisonment for a breach of civil contract, after similar powers had been abolished in the case of all other workmen. He was aware that inconvenience had been caused in the first application of the new law, and he was considering what arrangements could be made to assist in the maintenance of order, and to insure the performance of their legal obligations by the crews of fishing vessels.

STRAITS SETTLEMENTS—SINGAPORE—THE SPANISH CONSUL AND THE CASE OF THE "LEON XIII."

Dr. CAMERON asked the Under Secretary of State for Foreign Affairs, Whether, it being admitted that the Spanish Consul at Singapore advised the captain of the "Leon XIII." to disobey the writ of habeas corpus ordering him to produce the three English engineers imprisoned on board that vessel, and was a party to their forcible abduction, it is intended to recall his exequatur?

Sir CHARLES W. DILKE: Sir, Her Majesty's Government, although they have, through their Minister at Madrid, represented the gravity of the Spanish Consul's proceedings in this matter, have given him credit for having acted from zeal for the protection of his countrymen against a proceeding which he supposed to be an interference with their rights; and, under the circumstances, Her Majesty's Government have not felt disposed to resort to the extreme measure of withdrawing the Consul's *exequatur*.

Dr. CAMERON: Will the hon. Baronet have any objection to lay the Papers on the Table?

Sir CHARLES W. DILKE: The Papers could not be laid before the House at present, because the matter has not been completed. If the hon. Member will ask the Question again shortly, I will give a definite answer.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MRS. JOHN MORONY.

Mr. O'SHEA asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the death of Mrs. John Morony, wife of an evicted leaseholder, now a prisoner under 44 Vic. c. 4, who died of malignant fever on the 28th ultimo, in a hut near Milltown Malbay, county Clare; whether he is aware that the rent of John Morony's holding was £18 14*s.* 4*d.* the Poor Law valuation being £8, no improvement having been made or paid for by the owner; whether, on the estate on which John Morony was a leaseholder, the rents of the tenants from year to year, who have applied to the Land Court, have been reduced by upwards of 40 per cent; and, whether Her Majesty's Government will consider whether such cases as Morony's do not show the necessity of amending the Land Act so as to bring leaseholders within its provisions?

Mr. TREVELYAN: Sir, the facts are correctly stated in the Question, except that John Morony is not a prisoner under the Protection Act. He had been released before his wife died, and he was not a leaseholder on the property. He was sub-tenant to his father, who held the farm, and who, having paid his rent, is now restored to possession. The final paragraph of the Question should be addressed to the Prime Minister.

EGYPT (POLITICAL AFFAIRS)—THE PAPERS.

Mr. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether any Despatches have been received by Her Majesty's Government from the British Ambassador at Constantinople during the months of November, December, January, February, March, April, and May last relating to the views of the Porte upon the policy of England and France with respect to Egypt; and, if so, why all such Despatches have been omitted from the Correspondence relating to Egyptian affairs laid before Parliament? In putting this Question, he must add that since he gave Notice of it, certain Papers referred to in it had been laid upon the Table; but there were others which had not been produced.

Sir CHARLES W. DILKE: Sir, the only two despatches which answer the description given by my right hon. Friend, and which have not been laid before the House, are strictly confidential.

MR. BOURKE: And cannot be laid upon the Table?

SIR CHARLES W. DILKE: No, Sir.

MR. BOURKE asked whether the hon. Baronet would say that no instructions had been sent to our Ambassador at Constantinople during the six months referred to, to ascertain the views of the Porte with reference to the policy of England and France in Egypt?

SIR CHARLES W. DILKE: Sir, I think that the right hon. Gentleman should give Notice of that Question. At the same time, I may say that one of the two despatches to which I have referred is distinctly within the terms of the right hon. Gentleman's Question; and the other comes fairly within its terms.

MR. BOURKE: What is its date?

SIR CHARLES W. DILKE: I cannot give the date from memory; but if the right hon. Gentleman will give Notice of the Question, I will answer it.

MR. BOURKE: Then I will ask the Question to-morrow.

POST OFFICE CONTRACTS—THE WEST INDIA AND PACIFIC MAILS.

LORD CLAUD HAMILTON asked the Postmaster General, Whether, in view of the serious annual loss of £50,500, out of the subsidy of £80,500 payable under the contract with the Royal Mail Company for the conveyance of the West India and Pacific mails, and the existence of other lines of steam vessels engaged in these trades without subsidies, it is his intention to give the notice on the 1st January next, as provided in the contract for its determination, and so afford an opportunity to all steamship lines to tender for the service?

MR. FAWCETT: It is my intention, Sir, to give Notice, on the 1st of January next, of the termination of the contract on the 1st of January, 1885.

PRISONS (ENGLAND)—PRISON REGULATIONS—CASE OF HENRY NEVILLE.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether it is true that Henry Neville, convicted of theft, was lately flogged in Wandsworth Prison for refusing to be photographed?

SIR WILLIAM HARCOURT: This is not a matter which comes within the powers of the prison authorities, because all cases of breach of prison discipline are dealt with by the Visiting Justices. In this case the prisoner, having refused to comply with the prison rules, was ordered by the Visiting Committee to receive 12 strokes with a birch rod.

AFGHANISTAN—SUBSIDY TO THE AMEER.

MR. E. STANHOPE asked the Secretary of State for India, What further subsidy has recently been paid, or is intended to be paid, to the Ameer of Afghanistan; and, under what head in the Financial Accounts these subsidies have been and are included?

MR. SALT asked the Secretary of State for India, What is the amount of pecuniary aid to be afforded to the Ameer of Afghanistan, and for what purpose and from what sources such aid is given, since it has been stated—

> "* * * * the Governors of Candaha, Ghazni, and Jellalabad were all suppliants for pecuniary aid. It was believed that with the very large subsidies granted to the Ameer by the Indian Government he would be able to render the required assistance?"

THE MARQUESS OF HARTINGTON: Sir, we have no information of any further subsidies having been given or promised to the Ameer since the last statement which I made on the subject to the House, or since the date of the Return laid on the Table of the House extending up to March of the present year. In reply to the hon. Member for Stafford (Mr. Salt), I have to state that the amount of pecuniary aid to be given to the Ameer of Cabul has not up to the present time been fixed. Advances have been made, and I presume will continue to be made, by the Government of India from time to time as may be considered advisable under the circumstances. I have no knowledge of the large subsidies referred to in the extracts from *The Times'* telegram to which the hon. Member refers. In 1880-1 the subsidy appeared in the accounts under the head of "Military Operations," and in 1882 under the head of "Political." The subsidy will, of course, be provided for out of the Indian Revenue.

POST OFFICE—THE GENERAL PARCEL POST.

MR. SALT asked the Postmaster General, If he will allow a reasonable time to pass between the publication of the scheme for a general parcel post and its final adoption, in order that it may be fully considered, since it is possible that such a system may seriously interfere with the transactions of local shopkeepers?

Mr. FAWCETT: Sir, the question of the establishment of a parcel post has been so long before the public that I think there has been ample time to consider its probable effects. So far as I am able to judge, the introduction of such a post would be very acceptable to the great majority of the community.

ENDOWED SCHOOLS (IRELAND)—THE SWORDS BOROUGH SCHOOL.

Mr. P. MARTIN asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it the fact that the Swords Borough School, in the county of Dublin, with an annual endowment of £721 16*s*., derived from the compensation awarded by Parliament to the ancient borough of Swords for the loss of its representative under the Act of Union, has been placed under the National Education Board, or is it in contemplation that it shall be so placed; or that any, and, if so, what, change is to be made in the management of those schools and the application of the endowment; was it not provided by the original charter that the endowment was to be applied to found a school in the town of Swords for the education and benefit as therein provided of the children of the lower orders of the people, without any distinction of religious persuasion; if any change be made, will due observance be had to the terms of the original charter, and can he state under what authority or on whose representation has any change been made; and, will any provision be made for the due representation on the part of the Catholic inhabitants of Swords in the application of this endowment, and in what way?

Mr. TREVELYAN: Sir, the school in question has not been placed under the National Board, but application has been made to have it so placed, and the Board's Inspector has been instructed to report on the application. The school is endowed by Royal Charter, the management is intrusted to certain persons who form a Corporation, and it is they who have now applied to have it placed in connection with the National Board. I have referred the Question of the hon. Member to the National Board, who will have it before them when considering their Inspector's report on the application.

POOR LAW (IRELAND)—CASTLE BLAYNEY—ELECTION OF GUARDIANS.

Mr. FINDLATER asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been drawn to the following incidents, which are alleged to have occurred at a recent election for Poor Law Guardians for the Castle Blayney Division, in the county of Monaghan, at which Mr. Thomas M'Mahon, a Roman Catholic, after a minute and exhaustive scrutiny of the votes made by the clerk of the Board of Guardians, in presence of the candidates, their nominators, and attornies, and one of the Poor Rate collectors, was declared by the clerk to be duly elected, as he had 317 votes, and the other candidate, Mr. Swanzy, only 315; that, a few hours after the close of the scrutiny, the clerk entered at Mr. M'Mahon's house and told him that he had, after every one had gone away, found three voting papers on the floor, under the table in the Board Room, and that thereupon Mr. Swanzy had a majority of one; that, at this very time, the clerk had written to the Local Government Board that the two candidates had an equal number of votes, viz. 315 each; that, acting on this statement, the Local Government Board has ordered a new election; that the clerk, on reading the Local Government Board's order to this effect to the Guardians, at their meeting on the Wednesday after the election, further stated that he had found two voting papers for Mr. Swanzy stuck to the other voting papers; that Mr. M'Mahon's solicitor, Mr. Moynagh, of Dundalk, wrote to the Local Government Board, giving them the real facts of the case, and asking the Board either to declare Mr. M'Mahon duly elected as guardian, or to grant a sworn investigation into the facts of the case; that the Board have not complied with either request, or assigned any reason for not doing so; and, whether the Government will, under the circumstances, instruct or use their influence with the Local Government Board to direct a sworn investigation into the facts of the case, with a view to ascertain whether Mr. M'Mahon's election was valid, and if the clerk of the Guardians is such an impartial and competent person as ought to occupy that important position?

MR. TREVELYAN: Sir, the 88th section of the Irish Poor Relief Act provides that the Returning Officer shall, according to the best of his judgment and ability, make a true Return in writing to the Commissioners of the persons who shall be elected Guardians. On the occasion referred to in the Question, it appeared that there were two candidates, and the votes recorded for them were equal; consequently, he did not return either as duly elected, and the Local Government Board have no alternative but to order a new election. The Local Government Board have no power under any of the Poor Law Acts to return a Guardian, although they have power to unseat a Guardian who has been returned. They cannot, therefore, hold a sworn investigation for the purpose of placing one of these candidates in the position of Guardian; but if either of the candidates charges the Returning Officer with corrupt or improper action in the discharge of his duty at the election, and submits the grounds on which he makes the accusation, the Local Government Board will be prepared to consider the propriety of instituting an inquiry with a view of determining whether he is a fit person to hold his office.

PUBLIC OFFICES SITE—THE ADMIRALTY, &c.—THE MALL.

SIR HARRY VERNEY asked the First Commissioner of Works, Whether it is the intention of the Government to carry out the proposed plan of the Spring Gardens site for the Admiralty and other public offices without giving to Parliament the opportunity of discussing it; whether he is aware that there has long been entertained by the Royal Institute of British Architects, a proposal for continuing the Mall to Charing Cross, which would be rendered impossible by the Spring Gardens scheme; and, if he would cause plans, showing the proposed scheme of the Office of Works and of the Architects' Institute, to be printed and circulated for the use of Members?

MR. SHAW LEFEVRE: Sir, before erecting any buildings on the site proposed for the public offices under the Bill now before the House it will be necessary for the Government to ask this House for a Vote of money. This will afford my hon. Friend the opportunity of criticizing the plan of building when it is in a mature state. The Institute of Architects have recently submitted to me a very obvious plan for prolonging the Mall into Charing Cross by a street of the same width. It would involve the purchase of several houses fronting Charing Cross, which have been valued at about £150,000. There is nothing in the main features of the plan which I have proposed which is inconsistent with this extension of the Mall if it should hereafter be thought desirable; but I do not think that either the present Government or any future Government will entertain this large expenture.

METROPOLITAN IMPROVEMENTS—HYDE PARK CORNER.

SIR HARRY VERNEY asked the First Commissioner of Works, Whether the Royal Institute of British Architects have proposed a plan for the improvement of Hyde Park Corner, without removing the Wellington Arch, and whether an opportunity will be given to the House to discuss it; and, if he would cause a plan showing the proposal of the Architects' Institute to be printed and circulated for the use of Members?

MR. SHAW LEFEVRE: Sir, I received a deputation a few days ago from the Institute of Architects, who recommended to me an alternative plan for dealing with the Hyde Park Corner difficulty. They told me that the plan was not approved by the Council of their Society as a whole. The plan itself was not in its main features a new one, and I had carefully considered others, presenting the same features, before submitting the scheme which is now before the House. I pointed out to the deputation the serious objections to their plan, and I believe I convinced the majority of them that it was not a solution of the difficulty. They have since presented to me another plan; but this also is open to other and even more serious objections. As I cannot be responsible for either of these plans, and as there is no prospect of their obtaining the necessary consents in other quarters, I do not think it worth while to circulate them among hon. Members.

INSPECTORS OF PRISONS (IRELAND).

Sir HENRY HOLLAND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has any objection to lay upon the Table a list containing the names of the gentlemen who have been appointed to act as independent inspectors of Prisons in Ireland, with the dates of their appointments?

Mr. TREVELYAN: Sir, the names of the gentlemen are Lord Monck, Dr. Lyons, M.P., the hon. Member for Dublin, and the right hon. Mr. Cogan, for the Dublin Convict Prison; Mr. W. R. Meade, J.P., Mr. N. D. Murphy, J.P., and Captain R. N. Penrose Fitzgerald, for Spike Island Convict Prison. The appointments were made for 12 months from the 1st October, 1881.

Mr. O'CONNOR POWER asked if the right hon. Gentleman was aware that any of the gentlemen he had named, with the exception of the hon. Member for the City of Dublin, had ever taken any interest in the management or discipline of prisons?

[No answer was given.]

POST OFFICE—LICENCES TO TELEPHONE COMPANIES.

Mr. BOORD asked the Postmaster General, Whether he will consider the expediency of granting licenses to more than one Telephone Company, in order that the public may benefit by competition as well as by recent and future advances in science?

Mr. FAWCETT: As I have already stated, Sir, the subject to which the hon. Member refers has been for some time under my consideration, and I can only repeat that there shall be no unnecessary delay in arriving at a decision on it.

THE ROYAL IRISH CONSTABULARY—THE OATH.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has any objection to lay upon the Table, a copy of the oath sworn by Irish police recruits; or if he will read the same to the House?

Mr. TREVELYAN: The right hon. Gentleman my Predecessor read the Oath to the House in full on the 17th of June, 1880. The hon. Member will find it in *Hansard* of that date. [3 *Hansard,* ccliii. 185.]

LAW AND JUSTICE (IRELAND) — APPOINTMENT OF CROWN PROSECUTOR FOR CORK.

Mr. TOTTENHAM asked Mr. Attorney General for Ireland, Whether Mr. Moriarty has been appointed Crown Prosecutor at Cork; whether he is the same gentleman who has been standing counsel and adviser of the Land League; and, whether he will continue to combine this office with his new duties?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Yes, Sir; I have appointed Mr. Moriarty to the post in question. I am not aware, and have never heard, and express my own belief that it is not a fact, that he has been standing counsel and adviser to the Land League.

THE IRISH LAND COMMISSION—CASES SETTLED BY AGREEMENT.

Mr. CHAPLIN asked the Chief Secretary to the Lord Lieutenant of Ireland, Why, in the Returns of the proceedings of the Irish Land Courts issued recently, the number of cases settled by agreement out of Court have not been stated as before; and, what is the total number of cases settled out of Court up to the date of the latest Returns presented to the House?

Mr. TREVELYAN: Sir, I have presented to-day a Return containing the latest information up to and including the 30th of June. It shows that the total number of agreements fixing fair rents was up to that date 9,369.

EDUCATIONAL ENDOWMENTS (SCOTLAND) BILL.

Mr. DICK-PEDDIE asked the Vice President of the Council, Whether he intends to proceed further with the Educational Endowments (Scotland) Bill this Session?

Mr. MUNDELLA: Yes, Sir; if the opportunity is afforded me, I shall certainly proceed with this measure this Session.

ARMY—REGIMENTS FOR FOREIGN SERVICE.

General FEILDEN asked the Secretary of State for War, Whether there is any truth in a statement in the "Times" of the 4th inst. to the effect that there was reason to believe—

> "That eight of the sixteen regiments first for foreign service contained from a fourth to a half of untrained recruits?"

SIR ROBERT LOYD-LINDSAY said, he would suggest, with great respect, that the right hon. Gentleman would not answer the Question.

MR. CHILDERS: I am very much obliged to the hon. and gallant Gentleman for interposing on this Question. I doubt, Sir, whether it is for the good of the Public Service that Questions based on newspaper reports as to the composition of particular battalions should be asked in Parliament, and I am sure that such Questions can do no good at the present time. But on this question I have really nothing to add to the very full statement I made on the 13th of March, nearly four months ago. I then explained, without reserve—and what I said is fully reported in *Hansard*—how we had made up to their full strength the battalions in the First Army Corps at home and in the Mediterranean, and they have been steadily hardening since that time, and the proportion of recruits diminishing. Of course, there has not yet been time for the arrangements adopted last year to become fully matured; but the progress has been quite satisfactory and up to my expectations. Should any of the regiments be required for active service before they are thoroughly hardened, all the necessary measures have been prepared to complete them with seasoned men.

GENERAL FEILDEN said, that in consequence of the answer of the right hon. Gentleman, he begged to give Notice that he would next week ask the right hon. Gentleman a Question which he felt it his duty both to the Army and to his constituents to ask. He hoped the right hon. Gentleman would be able to reply; but if it were not to the interest of the Public Service to do so, perhaps he would so inform him. It was—How many men there were in the First Army Corps under three years' service, and how many had not completed their first annual course of musketry instruction?

MR. CHILDERS: Sir, my duty is not to the constituents in Lancashire of the hon. and gallant Gentleman, but to the country generally. I must distinctly say that I cannot, with due regard to the interest of the Public Service, give detailed information of this kind. In moving the Estimates I stated very plainly that what we were doing was strengthening the First Army Corps, and I do not conceive it my duty to make any further statement.

MR. ARTHUR O'CONNOR asked whether the right hon. Gentleman did not think it desirable to contradict the anonymous and serious statements that had been made on that question?

MR. CHILDERS: I shall certainly do no more than I have done. I have referred the hon. and gallant Gentleman and the House generally, in the most respectful manner, to the full statement I made, I believe, on the 12th March last. Having regard to the interests of the Public Service, I do not think it desirable that I should give any more detailed information than I gave then.

THE CHANNEL TUNNEL SCHEME.

CAPTAIN AYLMER asked the Secretary to the Board of Trade, Whether a departmental or other Committee has had under its consideration the effect which the opening of a tunnel between England and France might have on our mercantile marine, and sea-carrying trade; and, if so, whether he will publish its report?

MR. CHAMBERLAIN: So far as I am aware, Sir, no Departmental or other Committee has had under consideration the effect which the opening of a tunnel between England and France might have upon our mercantile marine and sea-carrying trade.

LAND LAW (IRELAND) ACT, 1881—THE COMMISSIONERS' COURT—"OWEN v. DAY."

MR. FITZ-PATRICK asked Mr. Attorney General for Ireland, Whether, having regard to the case of Owen v. Day, it is a fact that the tenant Day, after the fair rent was fixed, left the farm, owing three hundred pounds (more than two years' rent), a portion of which ought to have been lodged in Court before the appeal was heard; whether he can state on what grounds the Chief Commissioners departed in this case from the rule laid down by them (as stated in evidence given by Mr. Justice O'Hagan before the Select Committee of the House of Lords on the working of the Land Act) of requiring a portion of the rent due to be lodged in Court before the appeal was heard; and, whether, in consequence of this usual rule being departed from in this case, he is prepared to advise that compensation should be granted to Mrs. Owen for the loss she has now sustained?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, the Question of the hon. Member was a repetition of one asked the other day by him. The present Question, however, proceeded further than the last one on the same subject. As regarded the first part, he had no information other than that which appeared in the Question, and he assumed that the statement therein appearing was correct. As regarded the second part, he had already stated what occurred. There had been no violation of the usual rule. The tenant was evicted for non-payment of rent, and during the period for redemption he applied to the Commission to have the rent fixed. It was fixed at £80, and the landlady, as she was perfectly entitled to do, being dissatisfied with the decision, appealed. Before the appeal could have been heard, the tenant would have been excluded from his equity of redemption by the expiration of the six months. Accordingly, in common justice, the Land Commission extended the time to cover the appeal. The appeal was then heard, and the rent raised to £100. The tenant appeared, from the information which the hon. Gentleman had furnished, not to have thought it worth while to redeem. Under these circumstances, he saw no reason for altering his opinion or for advising any revision of the decision.

MR. FITZ-PATRICK said, that the right hon. and learned Gentleman had not answered the second portion of the Question. The tenant had gone off leaving £300 rent and costs unpaid. If the rule that a portion of rent should be deposited in Court had been adhered to, that would not have occurred.

MR. ARTHUR O'CONNOR asked whether it was not the fact that the rent of this farm was formerly £46, and that it was raised to £88 under threat of eviction?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): As to the Question of the hon. Member for Queen's County (Mr. Arthur O'Connor), I do not know, because my knowledge of the facts have been derived from what the hon. Member for Portarlington (Mr. Fitz-Patrick) furnished to me. With reference to the other Question, I thought I had already answered it fully. There is no such rule, as I am informed, in operation by the Land Commission. It would, I think, be a very unjust rule in a case of this kind to require the tenant to lodge a rent which the landlady refused to take. If there was an arrear of rent due on the farm, I fancy it must have been the fault of the landlady. I have informed the House, as plainly as I could, that the only reason why the term was extended in this case was owing to the act of the landlady, who would have excluded the tenant from the right of redeeming unless the Land Commissioners extended the time.

MR. TOTTENHAM said, if there was no such rule as that referred to by his hon. Friend, Mr. Justice O'Hagan had stated in evidence that which was not the fact.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I do not know that anything I have said justifies an imputation of that kind, or that any such inference can be drawn from the language I have used. I have stated that there was no such rule applicable to this case; and if the hon. Member will read Mr. Justice O'Hagan's evidence he will find that there is no such rule.

MR. FITZ-PATRICK said, in consequence of the very unsatisfactory answer of the right hon. and learned Gentleman, he should call attention to this matter on going into Committee of Supply.

LAND LAW (IRELAND) ACT, 1881—THE SUB-COMMISSIONERS—MR. THOMAS MEEK.

MR. FITZ-PATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, If the person named Thomas Meek, recently appointed a Sub-Commissioner under the Land Act, was employed to value farms for tenants in the county of Tyrone, previous to his appointment, and if it is the fact that he is now sitting in the adjoining county as a colleague of one of the same Sub-Commissioners before whom he gave evidence in February, March, and April of this year; whether, on one of these occasions, in the case of T. R. Bell, landlord, Rogers, Young, Murray, M'Grory, Brady, and Corr, tenants, he valued these six farms at £30 19*s.* 3*d.*, but the Sub-Commissioners disregarded his valuation, and fixed the judicial rents at £42 0*s.* 0*d.*; whether he is a small tenant farmer, holding a farm of twenty-four Irish acres, under the Salters' Company, at a rent of £24; and, whether he has any special qualification as an impartial and competent valuer of land?

MR. TREVELYAN: Sir, Mr. Thomas Meek did give evidence as a valuer on behalf of tenants in the County Tyrone; but it is not the case that he is sitting as a colleague with any Assistant-Commissioner before whom he gave evidence. In the cases of the six tenants mentioned, his valuation of the six farms collectively amounted to £30 11*s.* 8*d.* The judicial rent fixed by the Sub-Commission amounts to £41 15*s.* The former rent was £62 17*s.* 7*d.* Mr. Meek informs me that he cultivates 75 acres of land, and that previous to his appointment, he was engaged in stock-farming on other lands. He has been for 25 years a practical farmer, and was accustomed to act on arbitrations connected with land. Sir William Conyngham, who, on account both of his county position and his political opinion, the hon. Member would, I think, regard as an authority, gave him the following testimonial in purport of his candidature for the post of Assistant Commissioner:—

> "Having known you for a considerable time and had frequent opportunities of observing your management of land, I know you to be a thoroughly practical farmer, a good judge of land and of its management. Though we differ considerably in our political opinions, there, I believe, our differences end, and I have every reason to say that I consider you an honest, upright man, and one who, if appointed to the position you now seek, would act fairly and in a proper judicial spirit."

MR. GIBSON asked the Chief Secretary for Ireland what connection Sir William Conyngham had with the matter?

MR. HEALY asked whether it would not be desirable that the Return of the judicial rent to be laid before Parliament should contain the list of appeals against the decisions of the Sub-Commissioners?

MR. TOTTENHAM asked if Mr. Davidson was not a member of the Sub-Commission before which Mr. Meek gave evidence?

[No answers were given to these Questions.]

THE REGISTRY OF DEEDS OFFICE (MIDDLESEX)—RETURN OF FEES AND EXPENDITURE.

MR. ARTHUR O'CONNOR asked the Secretary to the Treasury, Whether he has any objection to lay upon the Table a Return showing, for each of the last five years, the gross amount of fees received in the office of the Registry of Deeds (Middlesex); the amount of office expenses; the net amount of fees; the sum accounted for to the Exchequer, as representing the share of the Queen's Remembrancer; and the names of the recipients of the remainder, with the amount issued to each, and the authority under which the distribution was made?

MR. COURTNEY: Sir, I will inquire how far this information can be given, and will take steps for procuring it, as I think its publication might be useful in reference to the Bill dealing with the office. In the meanwhile, perhaps the hon. Member will use his influence with the hon. Member for Cavan (Mr. Biggar) to remove the block which he has placed upon this Bill.

MR. ARTHUR O'CONNOR said, he would use his influence for that purpose as soon as he received the information which he had asked for.

EGYPT—THE ENGLISH AND FRENCH CONSULS GENERAL.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, If, in making the communication to the President of the Egyptian Council, reported in Despatch 76, of Egypt No. 8, the English and French Consuls Generals had no other authority from their respective Governments than that conveyed in Nos. 62 and 68, and if they took on themselves to say that their Governments would, if necessary, insist on the fulfilment of the conditions stated, without any express authority for that threat, but only in pursuance of the general instructions to obtain, "if circumstances still admit the possibility," the departure of Arabie Pasha and the other persons named, and the nomination of Cherif Pasha as President of the Council?

SIR CHARLES W. DILKE: Sir, the answer to the Question is in the affirmative, but the responsibility of the Agents is covered by the approval of Her Majesty's Government after consideration of all the circumstances.

MEXICO—THE CUSTOMS DUTIES—ENGLISH HOLDERS OF BONDS.

MR. H. B. SHERIDAN asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any information to the effect (as stated in the Daily Papers) that the Mexican Government has lately given to a Company, called "The Mexican National Railway," a charge on the Customs Duties of Mexico, part of which duties being already assigned and pledged to the English holders of the "Consolidated Debt of Mexico," whilst the whole of such revenues became chargeable (by the terms of the bond) when default was made in payment of interest; whether the arrears now due to the English bondholders amount to four millions sterling; and, whether, if such statement is correct, any steps can be taken by Her Majesty's Government to protect the English bondholders against the repledging in England by Foreign States, or their agents, of this already hypothecated and dishonoured security?

SIR CHARLES W. DILKE: Sir, with regard to the first portion of this Question, no such information has reached Her Majesty's Government except that received this day from the hon. Member himself. Her Majesty's Government are not aware of the exact sum of the arrears, but have no reason to suppose the hon. Member is misinformed. The hon. Member is aware that diplomatic relations between this country and Mexico are still suspended.

THE IRISH LAND COMMISSION—THE COMMISSIONERS—CONSTITUTION OF THE APPEAL COURT.

MR. GIBSON asked the First Lord of the Treasury, Whether the Government, during the passing of the Irish Land Bill this Parliament, gave strong and clear assurances that appeals would be heard before the three Land Commissioners; whether, when a difference of opinion takes place between two Commissioners sitting to hear appeals, the whole appeal does not become practically abortive; and, whether the Government will represent to the Land Commission, that in obedience to the clear requirements of the Land Act the three Commissioners should, as a rule, sit to hear appeals, and that it is only under exceptional circumstances that they are justified in hearing appeals in the absence of any of their members, and particularly in the absence of the member who is personally acquainted with the value and management of land?

MR. GLADSTONE: Sir, the right hon. and learned Gentleman is quite rightly informed with respect to the arrangements made as to the hearing of appeals. The latest Return supplied by the two Commissions at the time when I formerly answered the right hon. and learned Gentleman was, I believe, perfectly accurate in terms. But a great change has taken place in the balance since the period of the 1st of May to the 1st of July; 333 appeals have been heard by two Commissioners, and only 104 by three Commissioners. It is needless for me to answer the question whether when a difference exists the whole appeal becomes practically abortive. I am quite ready at once to state that I agree with what appears to be the opinion of the right hon. and learned Gentleman, that although the hearing by two Commissioners is perfectly legal when the third Commissioner is detained upon special business, yet undoubtedly it was the intention of the Act and the expectation of Parliament that the rule would be that appeals should be heard by three Commissioners. For the present I can only say that, this state of facts having been brought to our notice, communications are proceeding on the subject.

MR. GIBSON: I think, Sir, it would be reasonable to indicate that, inasmuch as the office work of the Commissioners involves the consideration of legal and technical details, it would be far more suitable that the legal Commission should remain in Dublin, and that arrangements for the hearing of appeals should not involve the absence of the only Commissioner who has the slightest knowledge of the management and value of land.

MR. TOTTENHAM asked whether the Government contemplated, at the time they appointed the Commissioners, that the two legal Commissioners should go to the country to hear questions of fact, and the lay Commissioner should remain in Dublin to hear questions of law?

MR. GLADSTONE: I do not admit, Sir, that there are two legal Commissioners. There is one legal and judicial Commissioner, and one lay Commissioner, who is a gentleman of legal education, but not a legal Commissioner in the sense that Mr. Justice O'Hagan is; nor did Parliament, when it assigned special duties to the legal Commissioner, include Mr. Litton in that designation. But there is no such arrangement as the hon. Gentleman indicates. The whole of the appeals heard by two Commissioners are committed to Mr. Justice O'Hagan and Mr. Litton, and, as I am informed, the arrangement has been that the duty has been alternative between Mr. Litton and Mr. Vernon, but requiring Mr. Justice O'Hagan to sit in all cases. It is only just to the Commission that I should state, without in the least qualifying what I have said, that the arrangement I have mentioned has been adopted by the Commissioners in no way for their own convenience, but with a view to the advantage of the parties coming before them. It would be much more convenient to the Commissioners personally that they should sit together to hear the appeals, and that they should be heard in Dublin.

EGYPT—THE SUEZ CANAL.

SIR WILFRID LAWSON asked the First Lord of the Treasury, Whether his attention has been called to the statement of M. de Lesseps, that "any attack on Egypt by England or any other Power would be the destruction of the Canal;" and, whether Her Majesty's Government will carefully inquire into the correctness of the view taken by so eminent an authority before sanctioning any military expedition to Egypt?

MR. GLADSTONE: Sir, I am not aware from what source my hon. Friend quotes the exact words which he has assigned to M. de Lesseps. I am aware of the general opinion of M. de Lesseps, as I have had the honour of seeing him. But I am not aware of the exact form of expression which M. de Lesseps has used in giving his opinion on this subject. But as I understood him, his expression was that, in the event of an attack upon Egypt, we might expect the Canal to be closed, or that something would be done to close the Canal. I can never mention M. de Lesseps in this House without a mark of respect, and without remembering that he has been the spirited, indefatigable constructor of one of the greatest works which have ever been constructed for the benefit of mankind. The whole world is aware, as I am, of the authority due to M. de Lesseps; but I am bound to say that it is not possible for Her Majesty's Government to be guided in matters of this kind exclusively by his judgment. The character and position of M. de Lesseps must be judged as a whole, and his opinion on the subject involves many considerations which might not, perhaps, appear on the face of his evidence.

MR. BOURKE asked the First Lord of the Treasury, whether it is the intention of Her Majesty's Government to propose a Vote of Credit with respect to warlike operations in relation to Egyptian affairs? Perhaps, also, the right hon. Gentleman would state at the same time what was the condition of affairs at Alexandria at the present moment?

MR. GLADSTONE: Her Majesty's Government have not any intention of proposing a Vote of Credit to the House with respect to warlike operations in Egypt, because there is no state of facts which calls, in their judgment, for such a measure; but, of course, if such a state of facts should arise, it would be their duty to give the earliest information to the House, and undoubtedly we should not wait to have any Question addressed to us upon the subject. With regard to the closing part of the Question, I presume it refers not to a general description of the state of affairs, but only to the most recent intelligence, and I have to say we have no information at all of any change in the state of affairs today.

MR. W. H. SMITH: Is it in contemplation to ask a Vote of Credit for the Navy?

Mr. GLADSTONE: I should have thought it would have been inferred, from what I said, that the Government are of opinion that no Vote of Credit is called for at the present time.

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—THE NEW RULES.

Mr. ARTHUR ARNOLD asked the First Lord of the Treasury, Whether he has observed that the Rule against Obstruction is composed in the singular number and in the present tense; and, whether he will, in the New Rules, or otherwise, provide that this Rule shall operate individually, and in no case against Members when they are not in this House, and when they have received no warning from the Chair?

Mr. GLADSTONE: Sir, in reply to my hon. Friend, I would observe that these are inquiries relating to the framing and interpretation of the Procedure Rules, or to the amendment of the Standing Order commonly known by the name of the right hon. Baronet the Member for North Devon (Sir Stafford Northcote). Of course, I have no right to construe the Rule in any manner, nor is this the time for discussing the principle of that Rule. I am bound, however, to say I am not able to accept, as at present advised, the statement of my hon. Friend in the breadth in which it stands, because I cannot believe there is any doubt that in certain cases—to quote the one particular case that happened last year, when the same identical act was done at the same time by a number of hon. Gentlemen—that the mere use of the singular number would exclude these Gentlemen from the operation of the Rule. Nor do I attempt to lay down any exact interpretation with regard to the recent construction of the Rule. These are important matters, which will come under the consideration of the House when we come to deal with the question of Procedure, and my hon. Friend will then have the opportunity of assisting us with his views.

Mr. T. P. O'CONNOR asked the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) whether it had not been explained that the Standing Order introduced by him should only take effect when the Gentleman about to be Named was present?

Mr. SPEAKER: I am bound to point out that the hon. Member is asking a Question not upon any Bill or Motion before the House, of which the right hon. Gentleman has charge, and the Question, therefore, is not regular.

Mr. T. P. O'CONNOR: There is a Motion, Sir.

PARLIAMENT — THE CHAIRMAN OF COMMITTEES.

Mr. STANLEY LEIGHTON asked the First Lord of the Treasury, Whether his attention has been called to a Notice of Motion impugning the conduct of the Chairman of Ways and Means, and disputing the correctness of his interpretation of a Standing Order of this House; and, whether, considering the necessity that the decisions of the Chairman should possess the full confidence of the House, it is his intention to give facilities for the early disposal of such Motion?

Mr. GLADSTONE: Sir, I am cognizant of the fact that there is a Notice of a Motion of this kind—indeed, more than one Notice of Motion—upon the Books of the House, and I admit, as a general proposition, it is not desirable that Notices of this kind should remain upon the Books of the House without being disposed of some way or other; but, at the same time, it would be an entirely different and a very novel proposition to admit—which I do not admit —that when a Motion of this kind is given Notice of by a private Member of the House, and expressing his own views, or possibly only the views of his immediate Friends, this constitutes a call upon the Government to interrupt the consideration of Business of vital consequence to peace and order in the country. I am not in a position to give any promise on the subject.

Mr. STANLEY LEIGHTON wished to ask Mr. Speaker a Question arising out of the answer he had just received. Was there any precedent for a Chairman continuing to preside over a Committee of the Whole House while a number of Motions calling in question his conduct in the Chair were printed daily in the Orders of the House, under the sanction of the Speaker?

Mr. SPEAKER: The hon. Member has put a Question to me upon a point of Order not now arising, and I must respectfully decline to answer him.

BANKRUPTCY—LEGISLATION.

MR. EDWARD CLARKE asked the First Lord of the Treasury, Whether, having regard to the facts that there is now no prospect of a Bankruptcy Bill being introduced by the Government during the present Session, and that a Bill brought in at the instance of the Associated Chambers of Commerce, which has been read a second time has been blocked by the President of the Board of Trade, he will use his influence with the President of the Board of Trade to induce him to remove the block and to permit the Bill to be considered in Committee?

MR. CHAMBERLAIN: Sir, the Bankruptcy Bill referred to by the hon. and learned Member was read the second time late at night in a thin House, and after a proposal to adjourn the debate had been lost by a small majority. The proposals of the Bill, in my opinion, offer no foundation for a satisfactory amendment of the law; and as the subject is of great importance, I cannot consent to the debate being taken at an hour when there is no time for adequate discussion.

MR. EDWARD CLARKE asked whether the Government were prepared to give facilities for the discussion of the Bill at a time when it could be reasonably considered?

MR. CHAMBERLAIN said, he did not think it would be possible to give any such assurance in the present state of Public Business.

PARLIAMENT — PUBLIC BUSINESS. — GRAND COMMITTEES ON SCOTCH BILLS.

SIR GEORGE CAMPBELL asked the First Lord of the Treasury, Whether Her Majesty's Government propose to follow out the suggestion which fell from him, that Scotch Bills might be referred to a large Select Committee on which Scotland shall be largely represented; and, whether, in that view, he will support all or any of the Motions on the Paper to refer each of several Scotch Bills to a Select Committee of 61 Members, or any Motion of a like character?

MR. GLADSTONE: Sir, I have considered this question, in concert with my hon. and learned Friend the Lord Advocate, and what I have to say is this. It appears to me that nothing could be satisfactorily done in this matter under the compulsion of the Government—first, because we have no time to propose it to the House; and, second, because if we were to undertake the management of it, I think it would run the risk of being inconveniently mixed up with the general proposals on Procedure. It must depend upon the spontaneous action of the Scottish Members. If by that spontaneous action among Scottish Members—and they are well known from old traditions to be well capable of combining their minds and their intentions by unofficial and informal communication — it would appear that anything could be done in this direction, we shall view it with favour.

SIR GEORGE CAMPBELL gave Notice that to-morrow he would ask whether the Prime Minister proposed to call the Scotch Members together for the purpose of ascertaining their views on the question?

PARLIAMENT — THE CHAIRMAN OF COMMITTEES.

SIR H. DRUMMOND WOLFF: I wish, Sir, to ask you a Question, the terms of which I have not placed upon the Paper. It is, Whether, when the Chairman of the Committee of Ways and Means, acting as Chairman of Committee of the Whole House on a Public Bill, is unavoidably absent during a whole sitting of such Committee, the Member taking his place should not be elected by the vote of the House; whether the rule laid down in Sir Erskine May's work, that—

> "During prolonged sittings the Chairman sometimes withdraws and is replaced by another Member without any question,"

applies to a sitting during the whole of which the Chairman is absent, and, if so, for how many sittings such non-elected Member can keep the Chair; and, whether such non-elected Chairman, being generally a Member of the Government, can exercise the same disciplinary powers over Members of the House as the Chairman duly invested, by election of the House, with the full authority of the Chair?

MR. SPEAKER: In reply to the hon. Member, I may state that until comparatively recent times the Chairman of the Committee of Ways and Means did not usually take the Chair in other Committees, but any other Member could act as Chairman. But, when the sittings of Committees upon Bills became more protracted, it was arranged that the Chairman of Ways and Means should ordinarily take the Chair in Committees on Government Bills, and sometimes on other Bills. But at no time was the attendance of the Chairman of Ways and Means necessary for the due constitution of Committees. In his absence it has been customary for another Member to take the Chair, and this convenient practice has not hitherto been called in question or objected to. The Chairman for the time being exercises all the authority of the Chair.

Sir H. DRUMMOND WOLFF: I beg to give Notice that on Tuesday next I will ask you, Sir, Whether, when the House has to enter into Committee on a Bill gravely affecting the liberties of the people or the disposal of public funds, it is competent, in the absence of the Chairman of Committee of Ways and Means—either when you are in the Chair or when the House is in Committee—for a Member to propose that the Chair should be taken by a Member other than an officer of the Government interested in the progress of such Bill?

Mr. SPEAKER: I do not know that I have anything to add to what I have already said. The hon. Member has given Notice of a Question for Tuesday next. I am bound to observe that it is not usual for hon. Members of this House to give Notice publicly of Questions to the Chair, or to put those Questions on the Paper. If I understand the hon. Member correctly, his Question is whether it is competent to question the nomination of the Chairman who for the time being is presiding over a Committee. I have to say that it has been the invariable custom of this House for many years to allow any Member of the House to take the Chair in Committee on a Bill. If the House desires any alteration in that Rule, some instruction should be given for that purpose. I consider that the invariable practice having been to allow that custom as promoting the convenience of the House, it should not be departed from without instructions from the House to that effect.

Sir H. DRUMMOND WOLFF gave Notice that he would on an early day move for an inquiry by a Select Committee of the House as to the manner in which Chairmen of Committees were appointed, so as to obviate the difficulty of Members of the Government being appointed by the Government in a Committee involving the fate of the Government.

Mr. GORST said, he desired to know who it was that had the right to select the Member who was to take the Chair in the absence of the Chairman of Ways and Means; whether the Speaker indicated the Member, or whether it was the Leader of the House for the time being who did so, or whether any Member who liked might rush into the Chair?

Mr. T. P. O'CONNOR asked the Prime Minister, whether he gave any directions on Saturday as to who should take the place of Dr. Playfair in the Chair on the Prevention of Crime Bill?

Mr. GLADSTONE: No, Sir; the fact is that the arrangements of the House, more or less formal, have depended, to some extent, on the good sense of the House, without raising any difficulty whatever; and among them has been this matter in regard to the taking of the Chair by Chairmen. For 10 years, I think, after I entered the House the arrangements for taking the Chair by some Member of the House were invariably made by the promoters of the Bill, in concert with Gentlemen present in the House, as might be convenient. I think it was Sir Robert Peel who first of all induced Mr. Green to take the Chair on certain Committees, if not on all.

Sir H. DRUMMOND WOLFF asked the right hon. Gentleman whether he could state with what Members of the House the Government, as promoters of the Bill, took concert when Mr. Courtney took the Chair at the beginning of the Sitting on Saturday?

Mr. GLADSTONE: It was indicated to me that my hon. Friend was to take the Chair, and I must confess I was perfectly satisfied with the arrangement.

Mr. HEALY gave Notice that on the next occasion when the Chairman of Ways and Means was absent from the Committee, he would move that the hon. Member for Cavan (Mr. Biggar) should take the Chair.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARRESTS AT LOUGHREA.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, with reference to reported wholesale arrests at Loughrea, whether it was true that 23 persons had been arrested by Mr. Clifford Lloyd, and that these included a town councillor and a suspect who had only been released from prison a week?

MR. TREVELYAN: I think, Sir, in these critical matters I had rather answer on Notice. On the main Question, as to whether it is the case that 23 persons have been arrested at Loughrea on a suspicion of being accessory to murder, I am bound to say, after spending the best part of the day in reading the instruments and documents relating to the arrests, that I think the Government had no choice in the matter.

MR. DILLON gave Notice that he would repeat the Question to-morrow, and that he would also ask how long Mr. Clifford Lloyd had been in Loughrea before he decided on making these arrests?

EGYPT—THE ARMAMENTS AT ALEXANDRIA.

SIR WILFRID LAWSON: My hon. Friend the Under Secretary of State for Foreign Affairs, on behalf of the Government, declined yesterday to give any information as to what is going on at Alexandria, and I am not going to ask him a Question about that now. But I wish to ask a Question concerning a report which has appeared in an influential quarter, and to know whether there is any ground for the report published in *The Times* this morning, which states that—

> "If Arabi Pasha does not cease the construction of works and mounting of guns, Admiral Sir Beauchamp Seymour will at once proceed to fire on the works, and bombard the defences of Alexandria."

I merely wish to ask whether *The Times* newspaper has any authority from the Foreign Office to make that statement?

SIR CHARLES W. DILKE: The Foreign Office never gives authority to any journal. I cannot give my hon. Friend any information as to the nature of the instructions of Sir Beauchamp Seymour, because those instructions are Admiralty instructions; and a few days ago my hon. Friend the Secretary to the Admiralty declined, in answer to a Question, to state what they are.

SIR WILFRID LAWSON: I did not ask for that, but whether *The Times* had authority to make the statement?

MR. W. H. SMITH: I shall not ask any Question with regard to the Fleet; but I trust that Admiral Seymour has full authority to take any step he may deem necessary for the protection of British lives and property.

SIR WILFRID LAWSON: I beg to ask whether the right hon. Gentleman is justified in getting up and expressing his opinion in favour of war being made on Egypt?

[No answer was given.]

EGYPT—THE RIOTS IN ALEXANDRIA.

MR. JOSEPH COWEN asked the Under Secretary of State for Foreign Affairs, Whether the Government had received any information concerning the inquiry into the loss of life and property at Alexandria?

SIR CHARLES W. DILKE: No, Sir; I believe that the Commission has never reported even to the Egyptian Government. We withdrew our Delegate from it, and all the European Powers have also withdrawn their Representatives. There is no European Delegate on the Commission, and the Government heard informally that the Commission was broken up; but I do not know whether that is so.

ORDERS OF THE DAY.

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ARREARS OF RENT (IRELAND) (*re-committed*) BILL.—[BILL 213.]

(*Mr. Gladstone, Mr. Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [ADJOURNED DEBATE.]

Order read for resuming Adjourned Debate on Amendment proposed to Question [5th July], "That Mr. Speaker do now leave the Chair" (for Committee on the Arrears of Rent (Ireland) (*re-committed*) Bill).

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing, in case of emergency, to grant money from public funds for purposes which it believes are for the best interests of Ireland, declines to proceed with a measure which imposes taxation for objects which, in its opinion, must tend to demoralize the people of that Country,"—(*Mr. Chaplin,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. TREVEYLAN: Sir, I will not detain the House by any prolonged remarks. Indeed, I only desire to make a single observation. The hon. Member for Tipperary (Mr. Dillon), in his speech yesterday, stated that there were many cases in which tenants had signed leases which had not been broken by the Land Court, and he expressed his apprehension that the benefit of the Bill would be denied to tenants who are so situated. Now, I wish it to be widely known in Ireland that, by the 3rd clause, the benefit of the Bill is distinctly extended to tenants holding under such leases as are described by the hon. Member. If the lease was made anterior to the Act of 1881 the leaseholder would be within the scope of this Bill. If it was made subsequent to 1881 no arrears could be accumulated of the nature of those with which this Bill proposes to deal. I am anxious that this should be known, because the Government have laboured to make this Bill as final and as comprehensive as possible, and it could not be comprehensive and final unless leaseholders were included along with the other tenants.

Sir MICHAEL HICKS-BEACH: Sir, the section of the Land Act of 1881 which dealt with the payment of arrears provided that, at the option of the parties concerned, the State should interfere and should make grants out of public funds for the settlement of private debts between debtor and creditor. That has always appeared to me to be a grave and questionable proposal; but I do not want to discuss it now, because Parliament has already sanctioned it. What we have to consider now is the position in which we are placed by the proposal of the Government to extend that principle. There is no question that the section of the Land Act relating to arrears has failed as completely as other provisions of that Statute which were of equal importance and of greater permanent interest. I do not say it would be proper to allow this Session to expire without an attempt being made to pass some measure which will carry out that which that section of the Land Act was intended to perform. Nor will I enter now upon the reasons for the failure of that section. Many reasons have been assigned, the principal one, which I believe was well-founded, being that Her Majesty's Government were on this and other subjects of a squeezeable nature, and that if, by some little delay, and possibly by winking or conniving at the perpetration of further outrages, the consciences of Her Majesty's Government might be reached, they might give more favourable terms than Parliament had already accorded. At all events, it seems to me to be a serious matter that this measure should have originated, not with Her Majesty's Government, but with hon. Members below the Gangway. The people of Ireland will place to the credit of the Members I referred to, and not to the credit of the Government or goodwill of Parliament, any benefit which they may obtain under this Bill, and they will believe it has been forced on the Government by those who at the very time they dictated these proposals were detained in prison upon suspicion of treason and crime. The intention of the Government I take to be something of this nature—they desire that the tenants in Ireland, under £30 valuation, who are unable from poverty caused by past bad seasons to meet the arrears which accrued during those seasons shall be relieved by the settlement of their arrears, in order to save them from eviction and to secure to them the benefits of the Land Act. Looking to the fact that the section of the Act of 1881 is already law, that proposal seems to me to be one of a reasonable character. There are these differences between the Bill and the Act of 1881:—The interference of the State, which under the Act of 1881 is optional with landlord or tenant, is by the Bill to be made compulsory. The money to be provided is to be a gift instead of a being loan, and a part of it—and I suspect it will prove to be a very large part of it—is to be provided from the taxation of the people. I do not think anyone could have paid attention to the speech of the hon. Member for Downpatrick (Mr. Mulholland), delivered yesterday, without feeling that the last statement I have made—namely, that a very large portion of the money required for the purposes of the Bill will have to be provided by the taxpayers—is a statement only too likely to be too well-founded. My hon. Friend proved with complete clearness the questionable nature of the Church Surplus on which the Prime Minister relies. I am not about to touch on the question whether his estimate of the arrears which had to be provided for is too sanguine. He has given us a vague and shadowy estimate that they will amount to £2,000,000; and if he is unable to give anything more definite on this point than the statement which he has made, I am utterly incompetent to form any estimate whatever; but, supposing the expenditure may amount to £2,000,000, is it likely that the Church Surplus will amount to that sum? The Church Surplus depends upon a factor, which as it seems to me has not not been thoroughly, if at all, considered by the Government. As was pointed out by the hon. Member for Downpatrick, the Church Surplus, if it accrues at all, will accrue in this manner:—The Church Temporalities Commission can borrow money at 3½ per cent and invest it to return 4½ per cent, and if that process is continued long enough there must be a considerable progress; but it is a question whether the 4½ per cent is likely to be received for any length of time. What kind of security have we as to the permanence of the income which the Church Temporalities Commission now derive from property in Ireland? I fear that the permanence and security of any income arising from landed property in Ireland, excepting that which accrues to the cultivator, is of a doubtful, I will not say of a vanishing character. It seems to me but too probable, looking to the legislation which Parliament has already sanctioned, to the agitation that is being continued, to the legislative proposals now before us, and to the possibility of further advances in the same direction, that even the head rents and the quit rents due from landlords to the Church Commissioners are by no means so secure as they have hitherto been estimated to be. When we come to the consideration of other rents more of a rack rent character, or to the repayment of the instalments which are due from those small proprietors who have purchased property from the Church Commissioners, I fear that their income is likely enough to be considerably reduced indeed. If that be so, what is likely to become of the surplus on which the right hon. Gentleman has so confidently calculated? I fear that a larger sum than £500,000, and possibly a large portion of the total expenditure under this Bill, will fall upon the taxpayers of the United Kingdom. I trust that this matter will be thoroughly sifted by the House. I am quite certain the country will properly require from us some greater security and knowledge than it possesses on this subject, if this measure is to be sanctioned, or if our proceedings are to meet with approval. I do not say that if I thought the proposals contained the elements of a permanent settlement of the Land Question, or were not likely to inflict on Ireland far greater evils than even those that would be suffered by the poor tenants evicted if this Bill did not become law—I do not say that for such a purpose as this I would not be prepared for one to impose a very considerable burden on the taxpayers. Hardly any sum could be too much if, by the payment of it, we could restore peace and contentment to Ireland. But I feel, in the first place, that there is nothing whatever that is permanent in the proposals of the Bill, that they are a temporary sop to tide over a temporary difficulty, and that the difficulty to be temporarily met by these proposals will be certain to recur before long. You may wisely draw large sums from public sources for anything like the promotion of emigration, where the size of the occupations is too small to enable tenants to live, or for converting tenants into freeholders, where that can be done with safety and probable success; but it seems to me that by this proposal to devote this large sum merely to the settlement of a temporary difficulty you are sowing the seeds of similar difficulty in the future. The Chief Secretary for Ireland defended this as an exceptional Bill to meet absolutely exceptional circumstances. I deny that we are dealing with absolutely exceptional circumstances. He compared the condition of Ireland in 1879 and 1880 with its condition in the famine year of 1847. Well, there was a great distress in 1879 and 1880, but it is ridiculous to compare it with the famine of 1847; there was in the two years very great distress in limited portions of Ireland, but there was nothing approaching to the distress in the famine year; there was nothing more than, I fear, under our present Irish land system, may be but too sure to recur with bad seasons in Ireland, or with want of employment on this side of the Irish Channel. If that be so, what becomes of the argument of the hon. Member for Salford (Mr. Arthur Arnold), who is almost the only independent Member who has spoken in favour of this Bill? He said that in order to justify the proposed assistance it was necessary to establish that the case was unique, and that it could not recur. Why, it is absolutely certain to recur. He suggested that small occupiers would be likely to sell their tenant-right and to emigrate. There is nothing less likely to enter into their minds. They are practically, by their own desire, tied to their small occupations, and not only by their own desire, but also by the recommendation of those in whom, in political matters, they place absolute confidence—namely, the Irish Members below the Gangway. I fear that the idea under which the hon. Member for Salford gave his support to this Bill is entirely unfounded; and if we spend £2,000,000 or £2,500,000 in the manner proposed, we shall simply be wasting money which might be much better employed—we shall be worse than wasting it, for the manner in which the money is to be spent—namely, by way of gift, instead of by way of loan—seems to me to be fraught with great evils. I am very sorry that on this point the Government have not been able to adopt what is really the opinion of the majority of Irish Members, and what is recommended by both the hon. Members for the County of Cork. There is no one whose opinion is entitled to greater weight than the senior Member for the County of Cork (Mr. Shaw), and his view would also be supported by other Members from Ireland in this part of the House. It is very well to say that, after all, there is no difference between a gift and a loan at a low rate of interest. There is a most material difference between them, because a loan, even at the low rate of 1 per cent per annum, would act as a kind of safeguard against fraudulent applicants. It would be felt to be a just arrangement by all, and especially by those honest and law-abiding tenants in Ireland, who would see, even if so low a rate of interest as 1 per cent were asked, that those who were not honest and not law-abiding were not placed in a better position than themselves, and that the aid given by the Government would cost those persons something, as any aid should cost them, if it is to be safeguarded at all. Now, I confess in this matter I am disposed to think much more of the number of Irish tenants who, having under every difficulty and discouragement paid their just debts, now see themselves put aside by the provisions of the Bill; and I do not believe that any very large number of persons ought to be benefited by such a measure as this. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant alluded yesterday to the large increase of late in the number of evictions; but we have no information as yet as to the number of cases which are fit subjects for relief under this Bill, and until we have that information, and until we know that those who are to be relieved are unable to pay, I trust this measure will not pass into law. The Government surely will not say that the provisions of this measure ought to be extended beyond that class, and, if so, how can the condition of being able to pay be ascertained? But what have the Government done? They have proposed to intrust the decision of this most difficult and important matter—a matter where there will be every possible attempt at fraud—to a Court utterly overburdened with work for the next 15 months, and that at a time when they are pressing upon the House the necessity of the prompt action of those Courts. How can that difficulty be remedied by the insertion in the Bill of provisions as to the employment of fit persons? The Land Court and the County Courts must decide the cases which require decision, and, though they may have reports placed before them by those who are to be employed for that purpose, they have no time whatever to consider such reports; and, therefore, we are reduced to this—that the decision of cases arising under this Bill must practically be left to the persons to be nominated by the Land Commission with the sanction of the Treasury. There is no qualification laid down for these persons; they cannot be possessed of higher qualifications, or be superior to those who have been appointed Sub-Commissioners, in whom nobody has any confidence. The consequence will be that you will have this whole inquiry into the solvency of the tenants' affairs degenerating into a mere farce; and I cannot help thinking that it is on this account that you have secured the support of hon. Members below the Gangway. They think that this Act will be administered much as the Land Act of 1881 has been administered—that the gift of money for the settlement of arrears will be as indiscriminate and unexpected in amount, and as unjust as the reductions of rents under the Land Act of 1881. What will be the result of that? Can such a vigilant guardian of the Public Purse as the right hon. Gentleman the Chancellor of the Exchequer contemplate with satisfaction the imposition of such a burden upon the taxpayers of this country? I think we had some light thrown upon the feelings with which the Government view this proposal by the answer given by the Chief Secretary for Ireland to a Question put to him as to whether the value of the tenant right was to be taken into consideration in estimating a tenant's solvency. The right hon. Gentleman stated that it would be inconsistent with the words of this Bill to require that the tenant, in order to discharge his debts, should be deprived of his holding. I understood this to mean that the value of his tenant right would be taken into consideration by the Sub-Commissioners in determining the solvency of the tenant, provided only that sufficient were left him to enable him to carry on his farm. But the Prime Minister thinks this question must be left to the good sense of the presiding officer in each case.

MR. GLADSTONE was understood to say that the Government would consider the desirability of introducing words into the Act for the guidance of the officials.

SIR MICHAEL HICKS-BEACH: Quite so. His present determination is to leave the matter as it is—that is, to the good sense of the presiding officer. No directions of any kind are to be given him as to the mode in which he is to find out the solvency of the tenant. This is following the precedent—the bad precedent—of leaving everything to the discretion of the Court, just as was the case in fixing a fair rent in the Act of last year; and I trust that before the Bill leaves this House the Government will see the difficulty and dangers of such a course, and provide such a definition of solvency as may secure the House against fraud and wrong. Would the House allow a tenant on one day to receive a sum of money from the Government in respect of his arrears, and the next day to sell his tenant right at the full price he could get for it, and put that price in his pocket? [Mr. GLADSTONE dissented.] I am glad to see in the expression of opinion which has fallen from the right hon. Gentleman some sign that he may be disposed to look with favour upon such Amendments as may prevent the measure from having any such operation. But if such Amendments are not inserted, how can anyone suppose that permanent satisfaction, or even temporary relief, can result from the measure? On the other hand, how many classes will be injured by it? I refer almost with apology to Irish landlords—they are a class not much favoured in Parliament; but, at any rate, it will be a bad thing for Ireland if you are determined to deter Irish landlands from lenient treatment of their tenants. But let us see how the Bill affects tenants. It does not apply to tenants of over £30 valuation, although they have suffered quite as much as their smaller neighbours. And, not only will these tenants not be benefited by the Bill, they will contribute, in common with our constituents in England and Scotland, to the relief of persons by no means more deserving than themselves. The very poor tenants, likewise, will experience no benefit from the Bill, for it will be impossible for them to provide the necessary year's rent. Meanwhile, those who, at the risk of injury to themselves or their families, have paid their just debts will be subject to what many of them will feel to be worse than the suffering they have hitherto endured — namely, the contempt and ridicule of their lawless neighbours, who will see themselves placed in as good a position as they. Even those who, being in distressed circumstances, benefit by the Bill, will be subject to another danger. I should like to know in how many cases it will happen that where a tenant has been relieved of his arrears to the landlord his tenant right will be pounced upon by the harpies who surround him—the gombeen man, the attorney, the village shopkeeper—who will evict him more surely and rapidly than any landlord would have done. It appears to me that, under this measure, all law-abiding people in Ireland will be discouraged, and that the lawless classes will be encouraged to further outrages and crimes. I cannot but feel that this has been too much the effect of legislation under the present Government in Ireland during the past two years. This Bill, we are told, is to restore peace and contentment to Ireland. The same was said of the recent Land Act. How can we believe prophecies already falsified? Why are we to be forced by prophecies of this kind to pass a measure which, in its principles, is abhorrent, not merely to those who sit on this side of the House, but, I will venture to add, to many who sit behind the Government? In spite of this Bill, we see the land agitation about to be renewed in Ireland by men who are more popular there at present than any Members of this House. We see falsified the hopes expressed by the hon. Member for the City of Cork (Mr. Parnell) on the introduction of this Bill. Serious and numerous outrages still continue in Ireland; and people who have reaped the advantage of measures passed by Parliament within the past few years are but encouraged to make further demands. The Land Act of 1881, which was to be a peaceful settlement of the Irish Question, has, within 12 months, been followed by the most stringent measure of repression known to the present generation—a measure which we have been compelled to support by the notorious condition of Ireland, and by the assurances of the Government that without such powers they could not be responsible for the control of a country honeycombed with secret societies. This state of things, to my mind, is very largely due to the vacillation and half-heartedness of the Irish Administration of the Government. I do not believe it will ever be possible to restore peace and confidence in Ireland by conceding to those who are really responsible for crime measures not just in themselves. Great harm—perhaps irreparable harm—has been done by the introduction of this measure by the Government; but I trust Parliament will spare the country the greater harm apparently in store for it by determining that, unless the defects I have pointed out are remedied, the Bill shall not become law.

Mr. JOHN BRIGHT: Sir, the right hon. Gentleman who has just sat down has touched upon a good many topics in his speech. Some of these I need not comment upon, except to express my surprise at his observations. I noticed that the right hon. Gentleman said that among the harpies of Ireland that prey upon the tenants were the respectable and numerous body in Ireland—the village shopkeepers. I suppose the village shopkeeper is as necessary to the farmer as the farmer is to the village shopkeeper; and I think, in discussions of this kind, it would be better to omit phrases on that subject, which can do no good, and which none, I think, on consideration, can believe to be just. The right hon. Gentleman has given us another edition of that general condemnation of the Land Act of last Session, of which we heard so much in that Session from hon. Gentlemen opposite. If that Act was so unjust, and if every man who knows anything of what political economy is, or of what is due from the law to all transactions between class and class—if they believe it to be so unjust, how was it that in the other House of Parliament it was allowed to become law, as it could do only by the consent of that august and ancient Assembly? If I sat on that (the Opposition) side of the House, and were in sympathy with the other House of Parliament, as hon. Gentlemen opposite are supposed to be, I think I should let alone the question whether the Land Act, in all its parts, was wise or just. I should accept it as the act of the united Legislature, and endeavour, at least, to support that opinion among the people of this country, and to hope the best from the operation of it as year succeeds year. The right hon. Gentleman began his speech by discussing the question of the existence of the Church Surplus. One thing we are certain of is that in Churches not disestablished there is a very considerable fund. We are now asked to believe that in a Church that has been disestablished everything in the shape of a fund has vanished. Hon. Gentlemen opposite believe, notwithstanding the statements of my right hon. Friend (Mr. Gladstone), that there is no such fund—[Mr. Gibson: Hear, hear!]—and that, therefore, any reliance upon it is a delusion that Parliament ought to be warned against. I shall not enter into the question. I do not dispute the authority, to some extent, of the hon. Member for Downpatrick (Mr. Mulholland). I daresay he has paid a good deal of attention to this matter; but, on the whole, I incline to think that both Houses and the country will be disposed rather to accept the authority of the Chancellor of the Exchequer, who has had a good deal more to do with these matters than any other Member of the House, and who is believed, and nowhere more entirely believed than on that side of the House, to be the very best authority in this country on a question of this kind. I speak from observations which I heard repeatedly from Gentlemen opposite. The right hon. Gentleman who has just spoken is of opinion that the burden, which will rest somewhere under this Bill, if it becomes an Act, will be a heavy burden on the taxpayers of the United Kingdom; not the £500,000 only which may possibly have to be advanced, but I think he has convinced himself, on the authority of the hon. Member for Downpatrick, that the whole of the £2,000,000 will have to be so advanced.

Sir MICHAEL HICKS-BEACH: The best part of it.

Mr. JOHN BRIGHT: Yes; I am afraid the right hon. Gentleman has not much confidence in any portion of the money being obtained from the Church Fund. Then he proceeds to say that after all—and in this he followed the example of the hon. Member for Mid Lincolnshire (Mr. Chaplin)—that the Bill will be ineffectual, and that, in point of fact, it is only a sop offered to the discontented classes in Ireland. Well, the House of Commons has been in the habit for the last two centuries, and particularly for the last 50 years, of offering a good many sops to discontented people; and, on the whole, I think, that course has proved to be a wise one. But the most alarming sop we have seen offered to discontented people in Ireland during the present Session, or, indeed, in any preceding Session, has been the sop offered by a Committee of the other House of Parliament, and which I understand the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith), in some shape or other, is disposed to recommend to this House. [Mr. W. H. Smith assented.] I am not finding fault with him at all; it may be a very wise thing; but I think there are a good many objections to it, as will probably be seen if the proposal comes before the House. The right hon. Gentleman suggests two courses which he says the Government might take, either of which he thinks would have been much better than the one which they have adopted, although, in my opinion, that course in no way would interfere with the after consideration of the others. The right hon. Gentleman refers to the question of emigration. The right hon. Gentleman knows that last year a clause was introduced into the Land Act with the view to promote emigration. That clause, I am willing to admit, was not very satisfactory or very complete to my mind, even when it was first offered to the House; but, as hon. Members know, it met with a very strong, and, in my opinion, most unwise and most unjustifiable opposition from hon. Members opposite, who professed to express the opinions of the smaller farmers and holders of land in Ireland. The right hon. Gentleman, however, appears to have exactly the same feeling on the subject now, because in his speech he has told us to-day that the tenants of these small holdings of five or six acres are so bound up in their little plots, upon which they were born and bred, that no temptation that could be offered them would induce them freely to emigrate.

Sir MICHAEL HICKS-BEACH: I did not say temptation.

Mr. JOHN BRIGHT: Well, if it was not a temptation, it was something in the nature of a compulsion.

Sir MICHAEL HICKS-BEACH: Allow me to explain that what I meant was this—the Land Act offers no temptation to those persons to emigrate, nor, so far as I can see, does the present proposal of Her Majesty's Government, and, therefore, they had no temptation to leave; but if you had an emigration plan, worthy of the name, it would unquestionably offer a great temptation.

Mr. JOHN BRIGHT: Yes; but I understood the right hon. Gentleman to give his opinion that they would not, even though it was worthy of the name, sell their tenant rights in order to enable them to emigrate. That is an opinion which the right hon. Gentleman is quite free to hold; but I hold the contrary opinion. I know that according to an experiment which was tried recently by a Committee sitting in London, in which a very old and valued friend of mine, Mr. Tuke, has been a most able and active worker, that exactly the contrary is the case. Mr. Tuke found that the priests, who are sometimes charged, I think unjustly, with wishing to keep the people on the land—even in their poverty—were extremely anxious that a system of emigration should be established, and that 15 out of 20 families who were visited in a small district were desirous of emigrating. I think that the course which hon. Members opposite have taken in this matter is a shocking one—I cannot get exactly the word I wish to use, and I am afraid of using stronger language than I intend—but the course which hon. Members opposite have taken has been an astonishing one, and it the more convinces me, either that they do not understand the condition and the interests of the population they profess to represent, or that they do not deal honestly with the House in reference to it. Then the right hon. Gentleman referred to another question—that which relates to the purchase of farms. The Bill of last year contained very large powers for enabling tenants to purchase their holdings — powers which have scarcely at all been brought into action. But that is not because those powers were not extensive enough, but because the time has not been favourable to their action. If those powers had been brought into action in 1870, there would by this time have been scores of thousands of tenants who would have become proprietors by 1879, by which time the condition of things in Ireland would have become far more satisfactory than it actually was in that year.. But at present, in my opinion, there is no chance whatever for those powers coming into extensive action. The disturbed state of the country militates very strongly against such action, and the unfortunate irritation which exists between the landlords and the tenants prevents them from coming together to discuss what can be done in the matter. It is also said, although I think that the danger is grossly exaggerated, that the competition coming from America may permanently reduce the value of the produce of land in Ireland, and so reduce the amount which a tenant would be willing to give for his holding. All these grounds, in my opinion, are those which make it impossible at present that there should be anything considerable done to the Purchase Clauses of the Land Act. But, like other things, it may come into action when conditions are more favourable, and if the country becomes more tranquil. I am one of those who believe it will. Notwithstanding the present state of things, you will find that clause, even though no more is done, will come into growing and extensive action, and it may not be necessary to do more. But I am not one of those who would strongly object to any alterations being made in those clauses which some people, perhaps more acquainted with the question than I am, may think would be advantageous. The right hon. Gentleman said that what the Government proposed to do by this Bill is really only to waste so much public money—I am not sure that he did not say to worse than waste it—and he advocates the proposal which we have heard of before, that the tenants shall be assisted in the payment of their arrears, not by a gift, but by a loan; and I understand that he is willing to accept the proposal which has been made in some quarters that the interest to be charged on the loan shall be fixed at 1 per cent. Some persons, indeed, have proposed that the loan shall be made without interest, and that all that need be done is to make a provision for the repayment of the loan at stated periods. The right hon. Gentleman called in support of his views the testimony, which is entitled to great weight, of the hon. Member for the County of Cork (Mr. Shaw). The right hon. Gentleman argued that if the money were advanced by way of loan, that would be a great check upon the amount of the advances that would be asked for, and that people who were not in a position to want the loan would not ask for it. For my part, however, looking back to certain facts in Irish history, I suspect that a good many persons would get their loan with the suspicion, and, perhaps, with a strong hope, that the probability would be that they would never be called upon to repay it. So far, therefore, from the fact that the advance was in the form of a loan operating as a check upon the amount of the advances applied for, I think that it would have exactly the contrary effect. I understood from the hon. Member for the County of Cork that he proposed that the £30 limit should be given up, and that tenants generally who were in difficulties might come and borrow money, and in that case no proof would be required of inability to pay, because, as you are only lending the money, and not giving it, you would not suppose that people who did not require the loan would come and ask for it, and, therefore, the check upon the advances would come into operation.

Sir MICHAEL HICKS-BEACH: I did not adopt that argument.

Mr. JOHN BRIGHT: The right hon. Gentleman did not; but still, taking the opinion of the hon. Member for the County of Cork and some other opinions of weight, that I supposed would probably take in their whole view, and not only a portion of it. If the limit of £30 is to be given up, and the loan is to be made without interest, I ask hon. Members who are acquainted with Irishmen, either in their own country or in this country, whether there would not be a constant and universal demand for advances upon those terms from the Government? Now, how could you refuse it? You would not have to inquire as to whether the man was likely to repay you. You would not, I presume, take a direct mortgage upon his property. You would advance the money, and you would believe that so generous an act would be met by generosity and justice hereafter, and that there would be no difficulty in collecting from some hundreds and thousands of tenants in Ireland either the small interest or the repayments necessary for the whole of the loan. My own opinion is that if the Government had adopted that plan, instead of having to provide from the Irish Church Fund and from the taxes the sum of £2,000,000, they would have to provide for advances to the amount of £4,000,000, £5,000,000 or possibly £6,000,000. The result of such a plan would be to give rise to a spirit which we should not like to see prevalent among the tenants of Ireland, and which would land us in a quagmire from which it would be impossible for Parliament or the Exchequer to extricate itself. On the whole, therefore, I think that the course which the Government propose to adopt is infinitely better than any which the right hon. Gentleman has suggested. Then the right hon. Gentleman wants to know how we are able to distinguish between those who are able to pay and those who are unable to pay. I admit that the matter is one of considerable difficulty. Under the right hon. Gentleman's plan we should give the applicants exactly what they asked for without inquiry of any kind; but under our plan every person applying for an advance will be forced to render an exact account of the state of his affairs. We shall know what sum he has due to him, what sum he has in the savings bank, what stock he has on his farm, the value of his furniture, and the general circumstances in which he lives, and we shall thus ascertain whether he is in that state of destitution which will enable him to come justly and ask for a portion of this gift. We must also bear in mind that the landlord would not wish to go into this arrangement with a tenant of whose power to pay he was assured. The landlord, of course, would oppose it, and he would ask why he should take half the arrears, which the Government by this Bill proposed to give him, when he knew the tenant was perfectly able to pay the whole? Therefore the landlord would step in before the Court which is to adjudicate, and object, wherever he thought, by making use of the powers of the law, he could obtain the whole of the arrears; and that, I think, would be a very considerable check, and also would remedy, to a considerable extent, the difficulty which the right hon. Gentleman has pointed to. Another point of the right hon. Gentleman's speech which requires careful consideration is the case which he gives of a tenant holding a farm, the tenant right of which, under the Act of last year, is worth more or less a considerable sum of money. What is to be done, he says, in such a case? What I think should be done is—not to say, as was proposed by the hon. Member for Tipperary (Mr. Dillon) yesterday, as I think unreasonably, that in no case should any inquiry be made as to what the tenant right of the particular holding may be worth. Suppose a man had a farm of 20 acres worth £20 a-year. It is well known that the tenant right of this would be worth £10 or, say, £5 an acre; that would make £100 or £200, as the case might be. Well, in that case the arrears extending over two or three years would be £40 or £60; and would it not be unreasonable to say that the Government should advance a sum of money to him, and that the tenant right should be untouched? The tenant right is his own property. He could not be evicted from his farm. The property is secured under the Act of last year. It should be, therefore, quite competent to those who adjudicate upon the matter, to ask the question and ascertain the value of the tenant right just as well as that of the cattle on his farm. This money is not to be given out with a shovel to any person who comes to ask for it. Every precaution which is fair to the tenant and just to the State must, of course, be observed, and it would be quite easy for the Court to say to the tenant—"Your tenant right is worth so much; it is worth £200; surely there can be no difficulty in your obtaining a loan of £50," which, in all probability, would be the whole he would be called upon to pay. Therefore, when this comes to be dealt with as a practical question, by practical, just men, who are appointed to adjudicate, I think the difficulty which the right hon. Gentleman has fairly referred to would not be found to exist, or, at any rate, that it would be found to be very much smaller than he thought it would be. There was one thing which I was sorry to hear in his speech, and which, even from his point of view, I should not have referred to. He spoke of the injustice of the Act of last year. The fact which he assumed to be true I believe to be not true. That is, that the Land Commissioners in Ireland were totally without and unworthy of the confidence of the people in Ireland.

SIR MICHAEL HICKS - BEACH: Not unworthy.

MR. JOHN BRIGHT: I thought the right hon. Gentleman said "unworthy." At any rate, the right hon. Gentleman said they did not possess the confidence of the people of that country. I may observe that, in my opinion, that statement is entirely without justification. He has no knowledge of the opinions of the people of Ireland. I would appeal to the hon. Member who sits below the Gangway, but who is not now in his place—I mean the hon. Member for Limerick County (Mr. O'Sullivan). He stated here in the early part of the Session—and he has not favoured us with so many speeches as some of his neighbours—that he was not one of those who would say anything against the Land Act of last Session. He said—"I know that it has already made happy many homes in my country." I have not the least doubt now, notwithstanding all the difficulties we see in Ireland, that the operation of that Act is gradually extending over a wider and wider area, and that, wherever it spreads, into every farmhouse where it penetrates, it gives peace not hitherto possessed or enjoyed; and you may rely upon it, it must do something to soften the feeling of the inhabitants of that cottage, and to give them a sense of security and justice which has not hitherto been felt by the great body of tenants in Ireland. The right hon. Gentleman said that the Land Act was a failure. Everything the Government has done in regard to Ireland, he says, is a failure. I do not believe the Land Act is a failure, and those who are here half-a-dozen years hence will be better able to judge than we are now as to that. I will tell the right hon. Gentleman what is a failure beyond denial, and that is the land system which prevailed previous to the Act of last year.

SIR MICHAEL HICKS - BEACH: The Land Act of 1870.

MR. JOHN BRIGHT: No, no; I am not speaking of any particular Act of our time. The Land Act of 1870 was a large step from what existed before, and last year there was another still larger step. What I say is this—do not let it be forgotten that hon. Gentlemen opposite were, for the most part, just as much opposed to the Act of 1870 as they were to the one of last year. I am referring to what existed before 1870. There is no Gentleman here from Ireland—I think there is no sensible man in the country—who does not admit that the landed system in Ireland down to 1870 was an entire failure. I recollect seeing a letter written by one of the most intelligent and best-informed land agents in the South of Ireland when the Act of 1870 was being discussed. It was a letter sent to the present Lord Lieutenant, and he showed it to me last year. He there said that such was the state of things before the Government of my right hon. Friend touched the question that it was on the cards whether there would not be a general combination throughout all Ireland to resist the payment of rents. I assert this, and am ready to maintain it, that where there is that state of things, unless you believe that all men are dishonest, and dishonest even to madness, no such condition could have arisen in a landed system which was worthy of support and continuance by the Parliament of this country. The right hon. Gentleman says what is greatly to be deplored is the half-heartedness and the vacillation of the right hon. Gentleman the Prime Minister and his Colleagues. These are phrases in great use on the Opposition Benches. They do not mean much, except that hon. Gentlemen opposite do not like anything proposed from this side of the House; and as it is supposed to be their duty, as Her Majesty's Opposition, thus to find fault, these phrases are of immense use in rounding paragraphs and sentences in Opposition speeches. But, at any rate, there are some hon. Gentlemen who think the action of the Government to have been very strong, and very urgent, and very despotic. It is not very long ago that hon. Gentlemen opposite complained bitterly that my right hon. Friend the Member for Bradford (Mr. W. E. Forster) handled his tools with a great deal too much ease and tenderness towards the people of Ireland; but the moment he left Office I find they had an entirely different opinion; and just in proportion as before they joined in every condemnation of his policy, since he left Office they found out that he was a most admirable Chief Secretary for Ireland, and they approved of everything he had done. I judge from the speech of the right hon. Gentleman (Sir Michael Hicks-Beach) that there is one thing on which we agree, and that is that the condition of Ireland is very serious, whether it be improving or not; that it deserves to be treated in such a manner as that we may arrive at the truth; and that that is the desire of hon. Gentlemen just as much on that side as on this. As to our being half-hearted, I must say that I should be very sorry to be a Member of a Government that rushed into violent proceedings under circumstances such as have existed in Ireland. It would be quite easy, no doubt, by means of military and police to overawe the people, and to make it impossible for freemen to meet together anywhere to discuss grievances; but I hold it is far better to take a more patient course, and to take more time in regard to the matter. These great maladies of nations, like those great maladies which sometimes afflict ourselves, are not cured in a moment. I believe there is no virtue more necessary, both in Parliament and in Great Britain, than that patience should be exercised in regard to the condition of Ireland. All the people of Ireland are not discontented, all are not disloyal, all are not dishonest. Many look to this House and Government, and to the legislation of this Session, for the restoration of peace and order in that country. Rely upon it, there are thousands—nay, hundreds of thousands—who are weary of the anarchy which has prevailed. Being weary of anarchy, they will be willing, as far as they can and as far as they dare, to support the Government in every effort to restore peace to the population of that country; and I do not doubt—I have a sanguine hope, at any rate—that the Bill which provides more power to the Lord Lieutenant and the Executive, used as it will be, not against any innocent person, but only for the purpose of repressing disorder and putting an end to crime, will have, notwithstanding the speeches we have heard against it in this House, the general support of the thoughtful and loyal portion of the population of Ireland. That is my firm opinion, and I shall be very glad to see on the part of all Members of this House—I make no appeal to the dozen Gentlemen who sit below the Gangway, but to hon. Gentlemen who sit opposite—I ask them to consider this question in all gravity, and to see if there be not some way in which the faculties of the Opposition—without making it appear constantly as if everything that the Government does with regard to Ireland is wrong and is a failure, is done with faint-heartedness, without earnestness—might be employed in favour of peace; and whether they cannot give such support as I think any Government in their position has a right to ask for from every loyal person who occupies a seat in this Parliament.

MR. ECROYD said, he had no want of sympathy with the sufferings of Ireland or the difficulties of the Administration in dealing with that country. He did not find fault with the intentions of the Government, though he challenged the methods which they adopted. He wished to touch upon two points in the speech of the Chancellor of the Duchy of Lancaster. The right hon. Gentleman had said that a loan on easy terms would probably never be repaid, and the people would take it that the Government was not anxious to be repaid. But it would be possible to make the loan a charge on the holding, and to enforce the repayment of the capital on the sale of the tenant right. Then the right hon. Gentleman had said if the advance were a loan there would be a temptation to dispense with inquiry. But he imagined that in either case an equally searching inquiry must be made; and if the advance were a loan, only the interest could be lost, as the principal would be a charge on the tenant right. No doubt, as had been observed, there were many cases in which the poor tenantry would feel that they had been delivered from a state of great uncertainty; but were there no cases in which the landlord would have in his mind a rankling sense of injustice, entertained upon good grounds, and from which he would never be able to free himself? One gross injustice, at least, had been perpetrated upon the landlord. He had already been deprived of that which was the common right of all free citizens—the right of obtaining the best price for what he had to dispose of—and this Bill would inflict another injustice upon him. He (Mr. Ecroyd) would have no objection to the employment of the public funds for purposes which would promote the permanent pacification and prosperity of Ireland. But as he had no belief that the present Bill would have any such effect, he would support the Amendment of the hon. Member for Mid Lincolnshire (Mr. Chaplin). They were told that this Bill could only be justified by the extremely exceptional circumstances which existed; but he feared that those exceptional circumstances must be continually expected to recur if they gave the Irish tenant encouragement to depend in future upon the bounty of Parliament. The Bill offered no radical cure for the evils of the country. All debts but one would be left as they were before. Only the debt owing to the landlord was to be interfered with, and that alone was an injustice so flagrant that it ought to condemn this measure in the view of the House of Commons. The debt of the usurer was frequently the most onerous debt owing by the tenant farmer, and if they delivered him only from his obligation to the landlord, it was clear that they would simply increase the amount of assets available either for present payment to the usurer, or as security for his future loans, which would press with ever-increasing weight upon the shoulders of the tenant. The debt owing to the landlord was usually the most just and reasonable of all his debts, and it represented interest not exceeding 4 or 5 per cent on the capital of which the tenant had had the use, while the debt owing to the usurer might probably represent a loan with interest at the rate of 8 or 10 per cent. The effect of present and past legislation had been to withdraw from competition the price of the tenure of farms; but in all other respects competition was left to exercise its full force upon the tenant farmer, and the rate to which the tenant right might be run up by competition was a most serious element in his future prospects. No doubt, much might be done for the improvement of the condition of the tenant farmer in Ireland; but that work would still remain to be commenced after present legislation had exercised its full force. What was required in Ireland was that complete assurance of the security of life, property, and personal freedom, which would bring capital to the country, which would encourage greater enterprize of every kind, and which would no longer leave the poor tenant farmer no chance of occupation except the cultivation of his small miserable plot of land. But if they intended to bring about such a state of things they would have to proceed upon lines quite contrary to those on which recent legislation had been based. How could they expect men to invest capital in Ireland, when they saw at recurring intervals not only an utter absence of security, but also legislative invasions of the rights of property and the freedom of administration of its owners? The Irish population in Lancashire and Yorkshire had shown themselves to be a quick-fingered and industrious people. He could not, therefore, believe that there was any incapacity on the part of the Irish people for the successful pursuit of native industries. But the Government were cutting off the possibility of the creation of large industries, such as might bring into play the enormous water power which existed, and afford employment to the people. There was also the question of the promotion of fisheries; and if only some assurance could be felt that capital would ever be secure in Ireland, and its owners free to use it under open competition and according to their own best judgment, he thought a reasonable hope might be entertained of permanently improving the condition of the Irish population. What ought to be done in Ireland was to cease to encourage hopes which were impossible of fulfilment. If any help were given to men, let it be help to help themselves; and if any encouragement, let it be to those who had striven to help themselves. But the Bill before the House contained an encouragement to that class who had least of all endeavoured to help themselves or to discharge their duties in civil society. It was because he believed that the Bill offered a reward to evil-doers, and a profound discouragement to those who had done well, that he considered it his duty to offer it the strongest opposition.

VISCOUNT LYMINGTON said, that in the discussion which had taken place the House had been led away by hon. Gentlemen opposite from a discussion as to "the expediency" of the Arrears Bill to a criticism of the general policy of the Government. The hon. Member for Mid Lincolnshire (Mr. Chaplin) had described the measure as an Act of confiscation, and in alluding to what he considered the failure of the Irish policy of the Government, he said that the Land Act of last year had failed. But he (Viscount Lymington) thought it was premature to pronounce any opinion as to the effects of that Act. This was not the time or occasion to discuss that measure. It was an intricate and complicated measure, and as to its merits, they could only be decided by time, after the social condition of Ireland had become more settled. He believed with the right hon. Gentleman the Member for Birmingham (Mr. John Bright) that there was a large body of Irishmen who were weary of the agitation, who were not disloyal, and who were not dishonest. There was a large number of men with whom he was acquainted who had never for a moment failed in their loyalty and their honest practices; and while it was impossible for him to say on their behalf that they had not shared, as all tenants in Ireland had shared, in advocating the cause of tenant right, he could say for them that they had never lent themselves to the deplorable practices which had of late been disgracing their country. But if the Land Act of 1870 and that of 1881 had failed, the policy before 1870 adopted by the Irish landlords had ignominiously failed also. Parliament had acknowledged the fact that for a large number of years many landlords in Ireland had endeavoured to force upon the people a tenure which they never had and never would accept. One great point of opposition to this measure which came from the other side of the House was that it was a gross violation of the principles of political economy. He thought that at a critical time like the present they ought to endeavour to look at Irish legislation not so much from a theoretical as from a practical point of view. What had been the principle of the legislation which they had, unhappily, been obliged in the House to accept during the last few weeks? They had been obliged to pass a Coercion Bill; and what was the whole principle of that measure but a violation of every principle which Englishmen had hitherto considered salutary and desirable? What was it but a violation of all Constitutional principles? He maintained, however, that that violation was necessary, that the extraordinary condition of Ireland rendered it necessary; but just as, in his mind, coercive legislation was defensible on the ground of political expediency, so was this measure necessary, even essential, as an accompaniment of the Coercion Bill towards the restoration of law and order in Ireland. The one Bill was specially aimed at the detection and punishment of the perpetrators; this Bill was aimed at the prevention of some of the causes of crime. From an academical point of view there might be something in the argument of the hon. Gentleman the Member for Mid Lincolnshire that this was a measure of confiscation; but, as a matter of fact, a very large portion of the existing arrears of rent were arrears which he did not believe landlords would have ever got, and which he did not think they even expected to get. A great amount of arrears in regard to small holdings applied to the West of Ireland;

and it was a notorious fact that in a great number of cases the rents of those small holdings were really fictitious, in the sense that the landlord or his agent never expected to get them systematically and periodically paid. There were two reasons why landlords were always induced to keep up rents of nominal sums—namely, because it enabled them to exercise a certain influence over the tenantry, and had the effect of enabling encumbered landlords to get more money for the purpose of mortgaging. But he did not think those landlords would really like to see this proposal thrown out; and he should be extremely surprised if it were thrown out in the other House. He had never looked at the measure as one entirely in the interest of the tenant, for he regarded it as one quite as much in the interest of the landlord. He did not think it necessary that he should detain the House by endeavouring to reply to the very general and sweeping accusations which had been made by some hon. Gentlemen opposite, who had asserted that the present condition of Ireland was entirely due to the conduct of Her Majesty's Government, and that they were, therefore, responsible for the necessity for this measure. Party recriminations of a vague and intangible character were not calculated to lead to any practical and reasonable discussion of this measure. He sympathized with the Amendment of the hon. Gentleman the Member for Carnarvonshire (Mr. Rathbone) in favour of introducing clauses to promote emigration in the manner provided for by the 32nd clause of the Act of 1881. In certain parts of Ireland there was no remedy but emigration, unless the people were to be assisted by the State to purchase their holdings. When a man's rent was only £2 10*s.* it made little difference to him that it was reduced by 50 or 100 per cent; he must depend for his livelihood upon sources extraneous to the cultivation of his land; and if those failed, whatever might be done in the direction of rent, they would still remain on the verge of starvation. The hon. Member for Tipperary (Mr. Dillon), who had won respect by many honourable traits of character rather than by violent speeches in that House, had countenanced the prejudice that emigration was advocated by those who desired to get rid of the people of Ireland; but that was really not their desire. What they wished was that persons living in such congested districts should be removed to some place where they would have some scope for the employment of their energies and a better chance of living in comfort. The real justification for the Bill was that it was wanted to put a stop to evictions and to start the Land Act. A certain number of evictions were being carried out by landlords—to some extent under compulsion, because their estates were encumbered—and the effect was to turn out of their homes and holdings tenants who, not in all, but in some cases, belonging specially to those of the very small holdings to which this Bill chiefly applied, could not pay rents because they were exorbitant. There were a sufficient number of these cases to disturb the peace and tranquillity of Ireland. The House had to adhere fairly and strictly to the principles of the legislation of last year; and its operation would be inequitable if men were evicted because they could not pay exorbitant rents, and were thus deprived of the privileges and rights of the Land Act. There was strong and clear ground for this legislation, which should be regarded as the complement of the Land Act and of the policy of the Government. The Administration had had a very difficult and arduous task; but, despite the adverse criticism to which they had been subjected from time to time, he believed the Land Act had had the effect of breaking down a most dangerous conspiracy—a general strike against rent. What they ought now to do was to start the Land Act on a just and strong foundation, to remedy exceptional and admitted hardships, and to show that while, on the one hand, the House was determined to put down outrages, and reclaim the people of Ireland to a sense of honesty and to a sense of conscience, they were, on the other hand, desirous of losing no opportunity of removing, so far as it was possible, the grounds and the reasons upon which the present agitation was founded.

Mr. GRANTHAM said, he had had some difficulty in determining what course to take on this Bill, and had not been assisted by the speech of the right hon. Member for Birmingham (Mr. John Bright), because he did not adduce a single argument in favour of the Bill.

No doubt there must be bickerings and heartburnings until something was done with the arrears that had accrued before the passing of the Land Act; but we might pay too dearly for the settlement, and create evils greater than those removed. The Bill seemed to violate the laws of political economy for the purpose of doing the minimum of good and the maximum of evil. Tenants in arrear were divisible into three classes. There were those who, from their poverty and the smallness of their holdings, never had been able to pay their rents; there were those who had not been able to recover from the effects of two or three bad seasons; and there were those who could pay their rents, but refused, either under the dictation of the Land League, or because they dishonestly desired to avoid paying their debts. The Bill practically dealt with all three classes in the same way. Every tenant who was in arrear would avow his inability to pay, and there would be little or no chance of convicting a tenant who suppressed the state of his finances, for he would be tried before a sympathizing jury of men who had probably been in the same position as himself. He believed the tenants of Ireland were never better off than now, and as a class they were far better off than the tenants of England. The tenants of England had had six or seven bad years in succession, and there was no doubt of their distress; but that was not the case with Irish tenants, as tested by the money they had in the banks. He was told by a banker of the North of Ireland that hundreds of thousands of pounds were being sent over to this country for investment. [Mr. MUNDELLA: They have always done so.] No doubt. But it was being done to an extent which was never done before. The Irish had more money than they knew what to do with at home, and, as nearly all this money came from the land, it was a striking proof of the prosperity of agriculture. There was yet another test. Merchants who had travellers in Ireland said that their bills were more readily paid in that country than they were in England; that trade was, on the whole, better in Ireland than in England. But there was another objection which, to his mind, was far stronger, and that was that, whereas this was supposed to be a tenant's relief Bill, it was nothing of the kind. It was a rent confiscation Bill. Why should they relieve the tenant from his liability to his landlord, and leave him at the mercy of the usurer? In the same way as this Bill would injure the landlord it would improve the position of the general creditors. At present the creditor was unsecured, because the landlord, having the power of eviction, could turn out the tenant. But the moment they took from the landlord that power the creditor's position was improved, because he would have the value of the tenant right as a security. What they ought to do was to treat the Irish tenant as if he were an English tenant, and make the effect of his obtaining this relief the same as if he passed through the Bankruptcy Court. For, if the creditor knew that he would lose his debt if the tenant obtained relief, instead of inducing the tenant to simulate poverty his interest would be to have the matter fully investigated; and to give all the information in his power as to the property of the tenant. They had now one of the best possible opportunities of dealing with emigration. In giving a great boon to the tenants they were entitled to propose to them a system of emigration. If it were wrong, to ask, or almost to force, those people to emigrate, he would not press it. But he differed from the hon. Member for Tipperary (Mr. Dillon) when he said that they loved their homes too much to go away. He rather agreed with the right hon. Member for Birmingham (Mr. John Bright) that many of them would be very glad to emigrate. Mr. Tuke's mission had been going on only a few months, and he had sent out a number of families—a number only limited by the smallness of his funds. But how much more good might be done if the money of the Government could be largely drawn on for the purpose? He could understand why the hon. Member for Tipperary and his Friends would do everything in their power to induce the people not to emigrate. It was not for the benefit of the Irish; it was not because they were concerned about the welfare of the people of Ireland; but because it was only among a discontented tenantry that disorder and sedition could prosper, and because these Gentlemen feared they might lose the hold they now had upon the people for their ulterior object of separating Ireland from England. The reasons which he had given were to his mind fatal to the Bill, and as he believed it could not be mended in Committee, he felt bound with great regret to vote for the Amendment.

Mr. GREGORY said, that he was by no means enamoured of the proposal of the Government, and he could not in any way commit himself to the approval of of the Bill. He objected to it because the principle of it was to pay individual liabilities out of public funds. Such a principle must be repugnant to anyone. At the same time, he had come to the conclusion, from the Returns that had been laid before Parliament, that the Government had made out a fair case for their assumption that the Irish Church Surplus Fund would suffice for the purposes of the Bill. Further explanations of those Returns were necessary, but there would probably be a sufficient amount to pay the annual interest, and ultimately the capital sum that it was now proposed to borrow; and, that being the case, he would dismiss the argument that an inordinate burden would be laid on the taxpayers of the country. It appeared to him, however, that, in applying a public fund to private liabilities, the Bill proceeded on a vicious principle. It led men to expect to have their debts paid by the taxpayers of the country out of some public fund, from whatever source derived, and this naturally and necessarily tended to demoralize the people. If one man saw another man's debt paid from the public fund, he would expect to be treated in the same way. He trusted before this Bill was parted from some scheme might be devised whereby a portion of this large fund could be advanced to the Irish tenants, and made applicable for the purpose of assisting their emigration. The present proposal was to advance money to men who, on the showing of the Government, were hopelessly insolvent, and to continue them in their holdings and in the very circumstances that had already rendered them penniless. Instead of rooting them in a part of the country where they could never prosper, it would be far better to remove them to other lands in which they might live and thrive with advantage to themselves and their families. Of course, it would be impossible to make emigration anything like a condition of assistance; but, considering the great success with which Mr. Tuke had applied a comparatively small sum, a part of this large grant might well be devoted to the work of emigration. At all events, he intended to give Notice of a clause that would operate in that direction, and which, he trusted, would receive the favourable consideration of hon. Members when it came to be dealt with in Committee. Such an application of the funds would, he was sure, not only be beneficial to the poorer Irish tenants, but also to the State. Then, again, in ascertaining the ability of the Irish tenant to pay, they would have a task of the utmost difficulty. It would be extremely difficult to elicit what was his actual condition. But before aid could be given them, their inability to pay arrears must be ascertained. Now, truth was not an important element in the character of the Irish peasant, and, in the present case, it would be his interest to conceal it. The Bill provided that persons convicted of obtaining grants on false representations should be punished; but that would not obviate the difficulty, and could not, after all, prevent the misapplication of the fund. He should be prepared to hear the fullest explanation on the part of the Government, and hoped they would endeavour to improve the Bill in the direction he had indicated. At all events, he trusted whatever they did they would give their earnest consideration to the proposals he intended to submit to them when the House was in Committee on the Bill. However, it was to the principle of the Bill rather than to its details that he had the greatest objection; and he should enter his protest against the measure by voting, on grounds of principle, for the Resolution of the hon. Member for Mid Lincolnshire.

Mr. DONALDSON-HUDSON said, he had carefully attended to the arguments coming from the Ministerial side of the House, but had failed to hear a single one advanced in favour of the Bill. He admitted the desirability of legislating for the settlement of this Arrears Question, provided it could have been done with due regard to the laws of justice and the principles of political economy. Even Liberal Members with whom he had conversed on the subject had either admitted the unsoundness of the Bill or had damned it with faint praise. His own opinion was that it violated alike the principles of political economy, of morality, and of justice.

The Bill had been termed a necessary supplement to the Land Act of 1881; but he feared that it would require to be still further supplemented. Although it might oil the wheels of the Irish Governmental machinery for a time, it would teach the tenants to re-open the old agitation as soon as their thriftlessness had involved them in new difficulties. If he might presume to say so, he thought that in the view of some of the Members of the Government, if this Land Question were finally set at rest it would be somewhat unfortunate, for it was known how utterly subversive of the existing order of things appertaining to the Land Question were the views of some of the Members of Her Majesty's Government. If the sore were constantly kept open, it would lead to a better opportunity for dealing at some future day with the great Land Question when it was brought over to England. He believed the present Bill was in many ways a very bitter pill for many hon. Members on the Government side to swallow. They knew it violated all the principles which they had hitherto upheld, and it was only on account of the necessities of the situation that they supported it. The Chancellor of the Duchy of Lancaster had that evening invited the Conservative Party to assist in the task of pacifying Ireland; but though they had given the Prevention of Crime Bill a loyal support, they could not continue that support to a measure which would only encourage pauperism and thriftlessness in that unfortunate country. For his own part, were he an Irish landlord, he would prefer to lose the whole of his rents in arrear rather than consent to receive a benefit by the operation of a scheme which would tend to pauperize the country. He ventured to predict that if this Bill passed, though there might be a momentary effect on the peace of Ireland, it would be found that the canker remained, and that disaffection would only take new roots and flourish more than ever in Ireland.

MR. MAC IVER said, that in a volume of the published speeches of the Chancellor of the Duchy of Lancaster there was a passage which the right hon. Gentleman himself seemed to have forgotten, but which was particularly applicable to Ireland at the present time. The right hon. Gentleman, speaking many years ago, said—

"The great cause of Ireland's calamities is that Ireland is idle. I believe it will be found, on inquiry, that the population of Ireland, as compared with that of England, does not work more than two days a week. Wherever the people are not industrious and are not employed there is the greatest danger of crime and outrage. Ireland is idle, and therefore she starves. Ireland starves, and therefore she rebels. We must choose between industry and anarchy."

[Mr. JOHN BRIGHT: What is the date of that speech?] The date was August 25, 1848. [*A laugh.*] Hon. Members opposite might laugh; but he maintained there was much in that speech which was true at the present day. The right hon. Gentleman went on to say that the only means by which Ireland could be brought to a state of prosperity were the

"Creation and diffusion of capital, and the establishment of those gradations of rank and condition by which alone the whole social fabric can be held together."

That proposition was undoubtedly true; but was it met by the present Bill? Had, in fact, any of the measures of Her Majesty's Government tended to restore the conditions upon which the prosperity of Ireland depended?

An hon. MEMBER: Yes!

MR. MAC IVER: Which of them?

An hon. MEMBER: All!

MR. MAC IVER said, he begged to differ. He voted against the second reading of the Bill with considerable hesitation, and that was because, like many other people, he took the view that it was necessary to do something to meet the terrible condition of Ireland. But he asked whether it was necessary to do this particular thing? He could not help feeling that the measure was as ill-advised as anything could be for the relief of Ireland, and yet he would be far from saying that that House ought not to contribute largely out of the funds of the United Kingdom for the good of Ireland. He could not help putting the matter on what, perhaps, some people might call a low ground, but which seemed to be a ground of common sense. If Great Britain could, by the payment of a large sum of money, raised by large taxation, get rid of this dreadful embarrassment in Ireland, he believed it would pay this country well to make Ireland prosperous. He would not object to paying money from the pocket of the British taxpayers if it were really for the good of Ireland; but he asked that it should be for the good of Ireland,

and not for the destruction of all hope for the future of that country. He did not wish to use any language for which he would be called to Order, and would be sorry to apply those words to any individual Member of the Government, which alone could express that which he really and honestly felt in his heart as regarded the policy that the Government had pursued as a whole. He did not personally dislike any Member of the Government; but he distrusted them as thoroughly as any man could do, and he disliked their policy, and had no better opinion of them than to believe that there were those among them whose principal motive in this and other legislation had been to keep an open sore with a view of making trouble between landlords and their tenantry. He wished to point out that the speeches of the right hon. Gentleman the Chancellor of the Duchy of Lancaster were circulated far and wide by means of the organization which at one time was presided over by the right hon. Gentleman's Colleague, and were used for the purpose of stirring up angry feelings against the Conservative Party. When the right hon. Gentleman accused the Conservative Party of having for the last two centuries adopted towards Ireland a policy of alternate sops and coercion, should he not have referred to the Mid Lothian speeches of the Prime Minister, who had declared that the Clerkenwell outrage and the shooting of the police at Manchester had brought the disestablishment of the Irish Church within the region of practical politics? After such teaching as that, he said, let the Government get out of the difficulty, which they themselves had created, in the best way they could.

Mr. WHITLEY said, he had hitherto taken no part in the discussion of the Bill, because he felt the difficulty in which the Government were placed; and he had been anxious, so far as possible, to support the Government in any manner which conduced to the benefit of Ireland. When the Bill was brought in it behoved everyone to carefully look into its provisions, and to form to the best of his opinion an independent judgment as to how far it would promote that which they all desired to accomplish—namely, the pacification and peace of Ireland. So far as he could form an opinion, the Bill, instead of bringing a blessing to Ireland, was calculated to be destructive of those principles of honesty which were the basis not only of their individual, but of their national life. One of the great objects of the Bill, as it seemed to him, was to give to dishonest men that assistance which was denied to the honest man. Soon after the introduction of the Bill a friend of his travelling in Ireland heard a discussion between two farmers. One said to the other—"I always told you you were a fool for paying your rent. I've not paid any rent for three years. Now you are done, and I've got the benefit of this Bill." That spoke volumes, and that was how this Bill would be looked at by the generality of the class with which it proposed to deal. The difficulties in regard to Ireland lay far deeper than perhaps was known by Members of that House. Some years ago, whilst travelling in Ireland, and sailing up the Shannon, he remembered asking the captain of the boat a question with regard to some works on the banks of the river, which were entirely empty. The captain, looking round, said, "Don't let us be overheard," and then he mentioned to him (Mr. Whitley) the cause of the stoppage of the works. Several years before, he said, they gave employment to 600 men and were a paying concern; but they had been stopped owing to the interference of the priests. Some years after he (Mr. Whitley) met the owner of the works, who fully corroborated the statement of the captain; and he also added, as showing the difficulties of dealing with the Irish, the following incident:—At 1 o'clock one morning one of his men waited upon him. He said to him—"What do you want at this time in the morning?" The man, pulling up his trousers, took £200 in Irish bank notes from the bottom, and said they were his savings for years, and he wished his master to take charge of them. "What," replied the master, "I did not think you were worth £5 in the world." "No," was the reply. "If any of the priests or my fellow-workmen knew I had saved this money I should not be the owner of it long." He asked the House how it was possible to find out whether men were honest or dishonest, when men like this were to be found living in miserable huts and able to save £100 or £200, and yet that was the class of men with whom this Bill would have to deal. He could not help thinking that a Bill like this, which appealed to the worst instincts of mankind, was calculated to demoralize the whole national character of Ireland, and that not only would it tend to aggravate the evils under which Ireland was suffering, but would give an encouragement to large classes in England and Scotland, who would ask themselves—"If this is good enough for Ireland, why is it not good enough for England and Scotland?" Now, the Government had told them that the only reason why they had introduced the Bill was on the ground of expediency. That principle of bringing forward a measure on the ground of expediency was one which was very difficult to justify; but those who supported it ought to be able to show that the aim they sought would be attained by the means in view. The Government, no doubt, believed that the Bill would attain the end sought; but was that the opinion of men they met in the streets? He had spoken to many, high and low, rich and poor, and he ventured to state that nine men out of every ten looked with the greatest horror upon this Bill and the principles which were contained in it. He could not conceive how any Member of the Government could deceive himself with the hope that this Bill would be productive of the end they sought. If the Government believed that the Bill would promote peace and prosperity in Ireland, he could well understand that they should strive to accomplish by every means in their power the passing of the Bill. But there were many Members on both sides of the House, and many people throughout the country, who believed it would have a precisely opposite effect; and it was, therefore, the duty of hon. Members to do all they possibly could to prevent the passing of a measure which the people of this country honestly believed would be productive of great misery and future degradation to Ireland. Anything that tended to make a man feel that he might break his contracts with impunity, and leave to others the duty of paying his just debts, must be prejudicial to the best interests of our common country. The Prime Minister, in introducing the Bill, said there were three necessary qualifications for the Bill. Firstly, it must be equitable; secondly, it must be safe; and, thirdly, it must be efficient. He (Mr. Whitley) asked the House, now that they had heard the provisions of this Bill, and now that they had heard it so eloquently defended by the Premier and the Chancellor of the Duchy of Lancaster, quietly and calmly to consider whether they thought these three elements were contained in the Bill. How was the Bill equitable? In his speech the Prime Minister made it out to be so because it gave something to the tenant and something to the landlord. But surely there were others to be considered besides the tenant and landlord. He had always held, and he thought the Prime Minister himself would acknowledge, that in all public measures they ought to seek not the advantage of one class of the community, be that the landlord class or the tenant class, but the benefit of the country at large. Representing as he did a great commercial community, whose guarantee of success and prosperity in life was the sacredness of contracts between man and man, and seeing how many hon. Gentlemen in that House were Representatives of similar communities, he asked for himself and for them, what was there in this Bill to commend it to these great commercial communities? Were they merely to tell them that this measure was to benefit the landlords of Ireland on the one hand and the tenants on the other? Would they not rightly reply that they did not think that the general community should be taxed for the benefit of one class? The Government were entering upon a most dangerous system of legislation when they sought to benefit a class at the expense of the nation. They did not know, they could not tell, and he defied the Prime Minister himself to tell, where this legislation would end. It was true the operation of the Bill was limited to tenancies of not more than £30 per year of rental; but was there any finality in that? Was there any substantial reason why, if anybody was to be assisted, tenants at more than £30 per year should not share the assistance? Should they not in a short time have an agitation on the part of these tenants, many of whom were as poor as their brethren that paid less rent? Then there was no provision in the Bill for the benefit of a large class who, they were told, were in the most wretched poverty—he meant the labourers of Ireland. Did hon. Members not think that they would agitate when they saw the farmers assisted and themselves left out in the cold? The Government were seeking another danger when they benefited one class and forgot the wants of a kindred class. It was not the province of those sitting on his side of the House to say what remedial measures should be brought forward in the interests of Ireland. He fully realized the responsibility which rested upon the Government, and he should have been glad, irrespective of Party, to have done anything in his power to aid them in legislation which would conduce to the real welfare of Ireland; but when he was asked to support a Bill utterly devoid of principle, a Bill which would bring men to believe that dishonesty instead of honesty was the best policy; when he was told by those who had intimate knowledge of Irishmen that, however honourable many of them were, there was a large class among them who would avail themselves of this Bill; when he looked forward to the end, and saw that they should have called forth from every class a desire to be supported by public money, he trembled for the future of Ireland. Wherever he went he heard the same opinion with regard to the future. Was there any hope that the Bill would promote prosperity? How had it been received by the Irish people, whose attitude was a good answer to that question? Judging by what he had heard from those who knew Ireland intimately, there was no general belief, even in that country, that the measure would be productive of good. The Irish landlords, who were supposed to be about to receive benefit, thought its provisions were of such a character that they would intensify the difficulties of the situation. Events at the present time in Ireland were so awful, and there were so many causes of deep anxiety, that he should have been very glad—and many of his Friends on those Benches would have been glad—if they could have supported this measure. He had hoped that the Government would introduce a Bill dealing with the great question of emigration. He listened to the speech of the hon. Member for Downpatrick (Mr. Mulholland) with the conviction, which must have been shared by all who heard his address, that whatever was the relief to be afforded by this Bill, many of the unhappy tenants in Ireland could not possibly exist on the land alloted to them. That being so, why was not the difficulty grappled with at once? He was very glad to hear the Chancellor of the Duchy of Lancaster (Mr. John Bright) say an hour or two ago that he, for one, deplored that there had been not much advantage taken of the Emigration Clause of the Bill of last year, and he was in hopes even yet that the Government would take some step in that direction. If they did they would receive much support, not only from his side, but also, he believed, from hon. Gentlemen sitting on the opposite Benches. They were all anxious for the prosperity of Ireland. They believed that it was closely connected with the prosperity of England, and he hoped the time never would come when Party differences should prevent them from acting honestly together in the framing of measures conducive to the welfare of their common country. He had never thrown taunts against the Government. He believed their policy to be mistaken. He believed that the Land Act of last Session was a mistake, and he was bound to oppose it; but the measure was introduced on the responsibility of the Government, and he gave a silent vote against it. When, however, a Bill was brought forward which touched England as well as Ireland, a measure which would ultimately tax Englishmen for a purpose that they could not approve, he felt bound to raise his voice against it, not because he had any hostility to the Government, but because he believed from his heart that this measure, instead of being a message of peace, would be a message of discord and dissatisfaction, and because he thought its principles entirely alien not only to the welfare of Ireland, but of England, Scotland, and Wales also.

Mr. VILLIERS-STUART said, that having had experience in the management of a large Irish estate, he wished to express his belief that the passing of this measure would be of great importance to Ireland. Allusion had been made to the hardship of imposing additional taxation on the struggling farmers of England and Scotland, in order that the debts of Irish farmers might be paid. But he protested against this view of the question, inasmuch as the taxpayers of Ireland were often called upon to contribute towards English and Scotch objects, in which they had little or no concern. Moreover, it was for the interest of the taxpayers of England and Scotland that this question of arrears should be settled, considering what enormous additional expenditure was thrown on this country, in consequence of the present state of Ireland. A few days ago the Secretary of State for War informed them the increase for military expenditure in Ireland during the last five years amounted to £8,700,000. Every penny of that came out of the pockets of the taxpayers of the United Kingdom—a moiety of that amount would meet the requirements of this measure; and those who desired to see peace in Ireland, and that great military expenditure decreased, should support the Bill in every stage, and speedily put it in force. He did not say the Bill was either a perfect or a just Bill, but there was nothing to prevent its being made so in its course through Committee. It was to be regretted that the Government did not attach greater weight last year to the opinions of Irish Members on the subject of the Arrears Clauses. The Irish Members were all agreed that those clauses would not succeed, and more than one Irish Member suggested Amendments which would have made them a success at far less cost than would now have to be incurred. Besides, he believed that a considerable majority of the Irish Members were of opinion that the principle of a loan would be less demoralizing than a gift. Indeed, he hoped that even at the eleventh hour the Government would give effect to the opinion of the majority of the Irish Members on this subject. They would not be so persistent in putting forward this view were it not that they had good grounds for knowing the needs of the case. Many of them, too, were loth to see the Church Surplus Fund sacrificed for the sole benefit of the tenant farmers, as other classes had a claim upon it; and the labourers, he might observe, had benefited nothing by the legislation of the last few years. He would only add, in conclusion, that he believed the pacification of Ireland would be cheaply purchased at an expenditure from the Imperial Exchequer 20 times greater than the £500,000 now asked for.

MR. GUY DAWNAY said, he deemed it his duty to enter a protest against this unprincipled and unjustifiable measure. He thought the Government were to be congratulated on the blind obedience of their big battalions. If hon. Members opposite were left free to follow the dictates of their individual consciences this measure would be relegated to a place among the other stillborn curiosities of Liberal legislation. He believed that some of them were acting against their own convictions of right and justice. All the principles which they as Englishmen had been educated to regard as the first instinct of political morality they now bartered away against their own conscience from unworthy and unpatriotic considerations of Party and power. It was useless to bring forward arguments after the crushing ones which had been adduced against the measure by the hon. Member for Mid Surrey (Mr. Grantham). Notwithstanding the essential objections which had been urged against the measure from the Conservative side of the House, the supporters of the Government preferred to remain within the shelter trenches of stolid silence rather than face the heavy shot of their opponents. If ever the brute force of a numerical majority were on one side, and all the force of argument on the other, it was upon the present occasion. He had heard no reasons in defence of the measure, although he had listened to the three or four excuses which had been used in favour of that most unprincipled departure from all the primary recognized principles of just legislation. Yesterday the Prime Minister hoped that the House would not undertake the responsibility of rejecting the Bill, and he believed this consideration weighed more than any other argument with the rank and file of the House. The Government had not proved, as it was incumbent on them to do, that exceptional circumstances demanded this extraordinary amd exceptional measure. They could not believe that this sop would be sufficient to pacify Ireland, nor did the Irish Members share the expectations of the Government as to the beneficial results to follow from it. Although it had been said that 200,000 tenants would participate in the advantages of the Land Act, a very large proportion of that number would not be effectually relieved if the whole of their arrears were remitted and their rents given them in addition. The Bill could not benefit the nine families, consisting of 57 persons, who were trying to eke out a miserable existence on land of the annual value of £10 in Connemara. Nothing but emigration could help the most of them. And it ought not to benefit tenants like the man who at the last moment, to avert eviction, produced what he believed to be a £5-note, but which proved to be a £50-note, amid the laughter of his neighbours, who approved of the deception he had attempted to practise on the agent. It was said that the Bill offered the only hope of tranquillizing the country, but this was the fourth time in four years that these words had been echoed in Parliament. The Bill might win the support of released Members for Liberal principles, but it could not have a beneficial influence. It could not be final, for its principle would have to be acted upon after future bad seasons. It was not a mercy that would be twice blessed; for it would not bless the giver, and it would demoralize the recipient. It would be one more measure added to the historic list of Liberal schemes for the pacification of Ireland yielded in weak compliance with unjust demands and criminal agitation.

Mr. MOORE said, that, after the castigation which the Bill had received from hon. Members opposite, it would be as well if they on the Government side of the House were allowed to state a few words as to what they thought about it. He would endeavour to direct the attention of the House to one or two particular points—practical points in connection with it. In the first place, he would like to remind the House as to the character of the investigation which was to take place as to the tenants' non-ability to pay. This was a point upon which there should be some sort of satisfaction—that it would not bring a poor man, whether landlord or tenant, on the one side, and placing a sum of money on the other, ask him to swear to matters in which the money was involved. Under such circumstances, he would not give much—he was sorry to say it—for a man's oath. It was not a fair position in which to place a man, and unless, therefore, they were very careful as to the character of the investigation, it would be somewhat in the nature of a farce, and not only so, but a farce of a very demoralizing character. He trusted that this defect in the Bill would be remedied. Taking a practical view of the matter, he thought that the books of the estate of the tenant's receipts, and, in fact, all matters connected with the tenancy, should be produced, and that from these amongst other matters, and in the absence of distinct proof from the landlord that the tenant was withholding his rent, the Court should assume the inability of the tenant to pay more than a certain proportion. This would be the more honourable and the more moral way of settling the question, and would avoid the iniquitous proceeding of placing a man under such circumstances on his oath. Then, as to the Court which was to carry out the Bill. The Land Commission Courts were so worked at present that they were perfectly inadequate to undertake the work; not only so, but these Courts were not fitted for the task. What he would like to see was some competent men, used to the management of large properties, well acquainted with the details of the matters they would have to consider, and the manners and customs of the estates, appointed to administer the measure. He was very glad to find that leaseholders were to be included; but if they were to so legislate that the tenant right of the occupant was to be considered an asset under the Bill, it would be simply worthless. Rather than include it they had much better thrust the measure out of the House at once. Let them take the case of a man with a £5 rent, and who owed, say, three or four years' rent. His tenant right might be worth seven years' purchase, which would be £35. If they were to make him realize money on his tenant right, it would be only another name for eviction; it would be only another way of saying he must sell, and thus the very object which the Bill was intended to defeat would be brought about. If the tenant were compelled to borrow, his liability would be transferred to the money-lender, who would charge interest while the landlord did not. It was ridiculous to suppose the Bill would have any value for the smaller tenants if they were to be compelled to realize their assets. No one, not even the hon. Member for Tipperary (Mr. Dillon), who had spoken so sympathetically of the poor tenantry in the West of Ireland, had greater sympathy for them than himself; but when they came to hand over public money—Irish money—in the way proposed, it would simply be demoralizing them. There was no reason whatever why they should not be allowed money to tide over temporary difficulties till better times came; but the tenantry themselves could not comprehend the idea that the money was to be a gift. He believed that it would be much better that the money should be given on the basis of loans, and, if they wished to give satisfaction, and give tranquillity, they could not do better than extend the operation of such a measure, proceeding, as he advocated, by way of loan, as much and as wide as possible. He truly confessed that he was not a very warm admirer of the Bill, and he fully appreciated the very strong objections urged against it. He thoroughly acknowledged the great difficulties the Government had in dealing with the subject. For his own part, he believed that the loan advocated by the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) was the best way of securing peace to Ireland, and he trusted that they had not heard the last of that scheme for increasing the number of those holding property, and who had some idea of the rights of property.

MR. PELL said, he felt bound to support the Amendment of the hon. Member for Mid Lincolnshire (Mr. Chaplin) and to vote against the Bill. One must consider what would be the result of applying even one portion only of this measure to England. They had become so accustomed to special legislation for Ireland that there was a tendency to overlook the important principles that should underlie all legislation. What was there about Ireland that had brought the conntry to its present condition? First, the land was owned by a few, and occupied by many. That was not the most fortunate position for any country to be in, least of all for Ireland. Then there was a redundant population dependent almost entirely upon agriculture, with a bigoted faith that they could find sustenance out of it for themselves and their families. Famine had warned them in vain against such a belief. With a bad climate and a poor soil, upon what could the farmer rely? Then there was a strong home affection which none could disapprove of, though it was to be regretted that it should interfere with the prosperity of the country. Then they were told that this Bill was rendered necessary by the Land Act of 1881. The reasons for the introduction of this Bill were not sufficient to justify him in voting for it. With reference to the question whether the money should go by way of gift or by way of loan, he had listened to the speech of the Chancellor of the Duchy of Lancaster, who, he thought, did not handle the subject fairly when he said the money would be handed over by shovelsful without any precaution being taken or any inquiries being made, and that they would be more careful how they applied the money when it was handed over by way of gift rather than when it was by way of loan. It appeared to him, however, that just as much, if not more, precaution should be taken with regard to a loan as with regard to a gift. In making a loan, it was expected that the borrower would satisfy the conditions of repayment, and care was taken to see that he would avail himself of a fair opportunity for repaying the money. However, this was a question which would more properly be considered in Committee. The Government expected a favourable result from this measure. They expected that when the tenants were freed from this load of debt, they would endeavour to make a new start in life, and would be able to turn their attention to other industries; but the hon. Member behind him (Mr. Dillon), who knew his country thoroughly, had said that the only legitimate object of this Bill was to retain the people in their holdings. Nothing could be more disheartening. If this Act was to be used by the Land League or by any other combination for the purpose of keeping people on the land, then they had passed a measure fraught with the most evil consequences. With reference to the money part of the question, which had been very ably and concisely handled by the hon. Member for Downpatrick (Mr. Mulholland), there was, no doubt, a very grave doubt in the mind of the Government as to what the proceeds of the Irish Church Fund might be. There was greater uncertainty as to how much would be required from the general funds of the country to supplement the Church Fund for the purpose of carrying out the objects of the Bill.

MR. GLADSTONE: I wish to correct a misapprehension. I have never stated that, in my opinion, there was any serious uncertainty as to the proceeds of the Church Fund. What I said was that it would be difficult to do more than conjecture what the amount of the claims would be.

Mr. PELL said, that the Treasury Minute just issued showed that the amount which would come from the Church Fund could not be estimated with anything like certainty. Did anyone believe that this proposal would ever have been made if there had not been that fund to base it upon? Whether the amount which was to come from that exhaustless fund, the British Exchequer, was large or small, the principle was the same. He could easily foresee a time when the English people, in dire distress, like the Cotton Famine, would call upon the Government of the day to apply the same principle to their wants as the Government was at the present time applying to Irish wants. He would like to know how that demand was to be resisted; distress could be felt as much in England as in Ireland, and the merits of the case which they had for relief from Imperial funds were just as strong. He felt that he should not be doing his duty to his constituents, or justice to his own feelings, if he did not vote against the House going into Committee on this Bill.

Mr. RATHBONE said, that, having been actively interested in 1847 and ever since in Irish difficulties and the remedies proposed for their solution, he hoped the House would not deem him presumptuous if he asked for its attention for a very few minutes on a point which he hoped would, to some extent, be dealt with in the measure now before the House. He was not going to trouble the House with any arguments as to whether the Arrears Question ought to be settled on the principle of loan or gift; but he believed that, without some settlement of the Arrears Question, it would be impossible to obtain that breathing time which was necessary to enable the beneficent clauses of the Land Act to do their work or the repressive clauses of the Prevention of Crime Bill to become effective. The hon. Member for Hertford (Mr. A. J. Balfour) had spoken of this measure as only being an anodyne; but anodynes might often be necessary to make it possible for remedies to do their work. Other hon. Members seemed to consider emigration as the only remedy for the remaining evils of Ireland. It appeared to him that our persistent failure thoroughly to settle the Irish difficulty arose from the fact that Englishmen would not take the trouble to understand it or to know how complicated it was. Ireland was like a person who had so mismanaged herself and had been so mismanaged by her doctor that she was suffering from a complication of maladies; and they could only hope by patient, careful, persistent effort to deal with every form of her evils. Emigration did not require to be assisted in the greater part of Ireland. It was probably going on as rapidly as was desirable, and probably much more rapidly than it would go on under any form of assisted emigration; but, on the other hand, there were districts of Ireland so poor and so over-populated that if they were to set them free from arrears and give the land absolutely to the tenants they could not maintain themselves with decency in good years, while in bad years they must starve or be supported by public or private charity. For these districts—fortunately, they were limited in extent—emigration was the only possible remedy; and, in his opinion, it would be an effectual remedy, because, if they could once reduce the excessive population caused by the minute subdivision of land, the natural operation of certain clauses of the Land Act would discourage a return to such excessive subdivision of holdings. The landlord would not be tempted to subdivide when he could no longer exact higher rents by so doing. It would be found on examination that the great bulk of these congested districts was contained in 15 Unions, the average holdings of which were under £8 annual value. Those 15 Unions contained a population of 366,600, and their valuation amounted to £339,700. Even in these Unions, only certain electoral districts would require to be dealt with—those in which the holdings averaged under £4, most of the holdings being, of course, of much less value. It was not, as they found in dealing with Mr. Tuke's fund, a question of inducing people to emigrate from these districts. The fact was, the only choice there was between starvation, the workhouse, or emigration—and if only the means were offered to them, no one could prevent them from emigrating; and he did not believe that anyone with a particle of patriotism or humanity would attempt to do so. He would refer those who wished to go into the matter to the Report of the Duke of Bedford's Committee of the Tuke Fund, and to Mr. Tuke's article in *The Nineteenth Century*, and he would only give one instance, which he thought would show conclusively how, from change of circumstances, it was impossible for these people to remain where they were and live. It was not so much the raising of the rent, as they could not live on their holdings if they owned them, but the diminution of grazing rights, and, still more, the almost annihilation—fortunately, in this instance, from no fault of the English Government—of the industries by which these poor people lived. On the West Coast, by kelp burning, for the manufacture of iodine from seaweed, many poor families had been in the habit of earning from £10 to £40 per annum; but now, owing to other inventions, the price of kelp had fallen from £7 to £2 10*s.*, and, of course, this resource had failed them. They could probably hardly support themselves while they were engaged in the work, and had nothing left either to pay their rent or maintain themselves with during the remainder of the year. Evictions were going on there, and would go on in such districts, in spite of any Arrears Bill; and, unless some steps were taken, the poor rates charged with the maintenance of this mass of people must utterly break down, and then they would be driven, as they always waited to be driven in Ireland—and that had been the curse of our Government there—until they were in the presence of a dire necessity, which they could only meet by some hurried, wasteful, and, as experience had shown, ineffectual measure. He had not detained the House without being prepared to suggest a practical remedy, and, fortunately, it was one which only required that the 32nd section of the Land Act should be made effectual for the purpose which it was intended to promote. This clause devoted £200,000, spread over three years, to the promotion of emigration, with the pretty general consent of the House. But it had been ineffectual, partly because it had been held that the clause was so worded as not to include Unions among the public bodies who could borrow under it. Now, if by a clause in the Arrears Bill the Government would consent to make that section of the Land Act effective for the promotion of emigration in families from the excessively congested districts of Ireland, he thought they would do much, he would not say to conciliate the supporters of the opponents of the present Bill, but to mollify opposition. The limit as to the amount of money to be provided by Government might be adhered to; but part of it might be given as a grant where the Guardians were willing to borrow an amount to meet such grants, either under the terms of that clause, or even to be repaid, with 3 per cent interest, in 20 years. It might be necessary to postpone repayment of the first instalment of the loan for, say, two or three years until these depressed districts had recovered a little from their present depression and excessive rating. He believed Boards of Guardians would be prepared to borrow the sums required as local contribution to enable them to participate in the benefit of the Government grants, rather than face the inevitable rise in the rates which would in many cases amount almost to confiscation if the evictions in those districts went on—and he feared they must go on, notwithstanding any Arrears Bill—and no provision was made for dealing with these poor creatures, whose only available resource from starvation at the wayside was the workhouse. It must be borne in mind that the emigration of these people could be done at about the cost of one year's maintenance. It would not be difficult at the right time to suggest how a system of emigration could be practically worked by a Commission acting on general principles laid down for their guidance, having regard to the population and taxation of each district, and the action of the Commissioners restricted to a portion of the country clearly defined, but leaving to them the determination within the limit of the amount of local contribution to be required from any Union or electoral district before a grant to such Union or electoral district is made, as well as the same to be expended on emigration in each place. He believed that the Commissioners might make admirable use of voluntary effort in selecting, in conjunction with the Guardians, emigrants, and making the necessary arrangements for the journey of the emigrants, and their reception on arrival in America. The action of the Duke of Bedford's Committee, through Mr. Tuke and otherwise, had obtained most valuable experience which would be useful in such a matter. He hoped he had not detained the House with too much detail; but he thought it necessary to show that there was nothing impracticable in what he had suggested. The difficulty, serious as it was, was much more limited and within a smaller compass than was generally supposed. He had ascertained that what he had proposed could be carried out in the present Bill if the Government would consent to do so. Should the hon. Member for Mid Lincolnshire (Mr. Chaplin) not divide the House on his Resolution, he (Mr. Rathbone) proposed to move an Instruction to the Committee, which, with the consent of the Government, would enable them to make the 32nd section of the Land Act effective for its purpose. If the hon. Member divided the House, and an Instruction could not be moved, it would still be possible for the Government to take steps during the progress of the measure in Committee to give effect to what he believed to be a very general, if not the nearly universal, wish of the House.

Mr. EDWARD CLARKE said, he thought the Government was to be congratulated on the fact that a number of speeches had been made on the Opposition side of the House, because speeches such as the last three which had been delivered on the Ministerial side of the House did not give much support to this Bill. The speech which had just been delivered did not refer either to the Bill as it stood or to the Amendment of the hon. Member for Mid Lincolnshire. It proposed a different plan for relieving the distress in Ireland. However admirable that plan might be, it was not only not included in the Bill, but it could be demonstrated to be in direct conflict with the Bill. The object of that plan was to promote emigration, whereas the object of this Bill was to discourage emigration by fixing by artificial means the population on the soil of Ireland. But, whatever might be thought by the Government of the speech which had just been delivered by one of their sturdiest supporters, the House had had two speeches within the last hour from Irish Members on the other side of the House, one from the hon. Member for the County of Waterford (Mr. Villiers-Stuart), and the other from the hon. Member for Clonmel (Mr. Moore), and both of them repudiated two main proposals of this Bill. They were told by the Prime Minister, when introducing this Bill, that the two principles on which it rested were the principles of compulsion and of gift. The principle of gift had been repudiated in strong, almost indignant, terms on the part of their fellow-countrymen by both of the Irish Representatives who had spoken on the other side of the House. He hoped that in due time the appeal of those two hon. Members to the Prime Minister to withdraw from one of the two cardinal principles of this Bill would be answered, and that before this Bill left the House of Commons it would be modified in that direction, and they would escape by that modification not only from that which he believed to be an immoral course of conduct with regard to this emergency—namely, an encouragement of what had taken place by a gift of public money; but also from the difficulty of giving money from the Consolidated Fund for the purposes of this Bill. But, passing from that, let him ask the House to consider what the hon. Members said. The hon. Member for the County of Waterford got up to support this Bill, but he ended his speech by saying that though he would vote for the Bill, it was an unjust Bill. The hon. Member was going to vote for what he declared an unjust Bill, in the hope that it would be modified in Committee. He had listened with interest to the speech of the hon. Member for Clonmel, for it was clear that the hon. Member was at issue with the Chancellor of the Duchy of Lancaster with regard to taking the value of the tenant right into consideration as assets. Then, what could be a greater condemnation of the Bill than the justification offered in its behalf by the hon. Member for Waterford, an Irish Member sitting on the Ministerial side of the House? The hon. Member said Ireland was in so terrible a state now that millions of money were being spent in the maintenance of law and order. Under this Bill they would spend £500,000 Let them try the experiment, and see whether that £500,000 would not go further to secure peace and order in Ireland than the millions they were spending upon military and police. He (Mr. Edward Clarke) ventured to say that was an argument which was unworthy of the consideration of the Parliament of a free country. If they were asked to give public money for purposes which were manifestly purposes of justice and right, let them give it by all means, give it with a free hand and an open heart. But if they were asked to give public money in order that they might buy off at less expense those whom their authority had failed to bring into obedience to the law, it was unworthy of the people whom they represented in that House that such an argument should be offered to them. Better far, in his opinion, that millions should be spent in the attempt to preserve law and order than that the Government should try that most feeble and extravagant expedient of giving money to rebels in the hope of subduing rebellion.

MR. VILLIERS-STUART rose to explain that what he said was in reply to the hon. Member for Mid Surrey (Mr. Grantham), who complained that England and Scotland were being taxed to contribute towards the payment of Irish arrears. His reply was that it was in the interest of the taxpayers to do so—that it would save their pockets.

MR. EDWARD CLARKE said, he thought he had not misrepresented the hon. Member. From what the hon. Member had just said, he again drew the inference that he proposed to buy off the rebellion, which was too expensive and coercive, and he repeated that that was an unworthy argument. It was not too late to discuss the principle of the Bill. He believed that before the Bill, in its present shape, passed into an Act of Parliament, they should have an opportunity of discussing its principles elsewhere than within those walls. He did not believe that the Parliament of England would pass the Bill in its present shape, and he should be well content to pass out from those walls that night, or next week, to the constituencies of England—and to ask them for their judgment upon the matter; because it seemed to him that at the bottom of the Bill, and necessarily inclosed in it, there was a principle against which it was the manifest duty of the Tory Party to make its emphatic and resolute protest. It was not a question of detail, or a question to be settled by compromise between landlord and tenant. If it were simply a question of Irish landlord and Irish tenant, there might be much to be said for the Bill. In one sense it would be a relief to landlord and tenant alike. They had heard a remarkable argument from the Chief Secretary to the Lord Lieutenant on Wednesday. It having been said by a previous speaker that the property of the landlords in Ireland and the rents that were due to them were as much their own as the coat which the Prime Minister wore upon his back was his, the right hon. Gentleman retorted by saying that that was quite true, but that, while the Prime Minister really possessed the coat which was on his back, the landlords' money was not in their pockets. That was a curious answer to come from the Treasury Bench. Why, he asked, was it that a great deal of their money was not in the landlords' pocket? Because the payment of that money had been prevented by two organizations—he would not use the word "conspiracy," for that expression hurt the susceptibilities of hon. Gentlemen below the Gangway—but the two organizations were, first, the Land League, and, next, the combination of Gentlemen forming Her Majesty's Government. Two years ago the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) warned the Government that a suspension of evictions would mean a suspension of the payment of rent. Yet the Government were induced to accept a suggestion from one of the Home Rule Members and to bring forward the Compensation for Disturbance Bill. Now, what they did then they had again done this year, for, just as two years ago they accepted the suggestion to which he had referred, so now they had adopted one-fourth of a Bill which had been brought forward for second reading by an hon. Member below the Gangway in April, and by taking that course they had again practically suspended the payment of rent in Ireland. In 1880, therefore, the payment of rent was checked by the Compensation for Disturbance Bill, last year it was checked by the "no rent" manifesto, and this year it was again checked by the introduction of the Bill before the House. That being so, a most curious argument was used by the Prime Minister, who said—"You cannot override what we have done by bringing in this Bill; so far as it affects the payment of rent, we have checked it; the mischief is done; now you had better pass the Bill as soon as possible;" so as to make the Government happy, and enable them to congratulate themselves as having taken another step on the path of conciliation. Before that Bill passed, however, he hoped a resolute stand would be made against it, not only by the Irish Members, but also by English and Scotch Members, because it involved a bad principle. What was the bad principle? It was this—that they were going to give donations of public money, not for any services rendered to the State, not for anything done which should entitle the recipients to it, but because the persons to whom it was offered were placed in a difficulty, in part, he agreed, by the failure of their crops through the inclemency of the seasons, but in part, also, by their having been the willing or unwilling servants of that which had been a treasonable agitation. They could not get away from the fact that the money to be given under this Bill to the Irish tenants would be received by them and recognized by them as money for which they were indebted to the Land League they had supported, and which the Government had vainly tried to destroy. With regard to the sources from which the money was to come, he would only say that he should regret to see the Irish Church Fund extinguished in this way, for he had hoped that that surplus might have been applied to the purpose of advancing education in Ireland. He was rather glad, however, that the intention was to supply from the Consolidated Fund some of the money which the tenants were to receive, because that would draw the attention of the people of this country to the objects for which the money was demanded. The Chief Secretary admitted that the measure was exceptional in character, but adduced as a precedent the gift of seed potatoes and similar necessaries made to the Irish people a few years ago in times of dire distress. What possible parallel could there be between the two cases? The famine of 1879 was terrible, and, without the Relief Act, there would have been a more terrible famine in the next year. But here we were saying to the tenants—"We will pay rents you are not able to pay, and so keep you on holdings where you can get an existence, perhaps, in profitable years, but where you will be exposed to famine when bad seasons set in." The hon. Member for the City of Dublin (Dr. Lyons) said that there were 420,000 occupiers in Ireland under £10 valuation, and they could not induce them to emigrate at once. But, surely, the consequence of that would be, not that they should keep that enormous body of people upon a soil that could not support them, but that they should allow the natural process to have its course in that as in other cases. Famine was the teaching of Nature as to the distribution of people in a country and as to the mode of their existence, and when famine came it was a warning that they could not continue to occupy the country in which they were placed. Therefore, it was a most serious thing to give public money to keep them where they were. True, the famine was exceptional, but the causes of the famine were constant. There was a large population, the crop on which they depended was precarious, and so long as both these conditions existed, there was an absolute certainty of the return of famine from time to time. They were asked by this Bill to leave these people in the occupation of farms which they could not safely occupy, and for the occupancy of which in the future they must depend upon the charity of a country which, with short-sighted policy, was taxing itself to produce this evil result. For these reasons he trusted that a resolute stand would be made against the principle of the Bill. From the speech of the Chancellor of the Duchy of Lancaster, it appeared that a most outrageous provision of the Bill was now to be modified. As the Bill stood, it was clear that the loan authority might allow the State to relieve a person of a part of his rent, and leave him in possession of the saleable tenant right of his holding. That, surely, was a preposterous proposition. Suppose a man who paid £25 a-year for his farm owed three years' rent, and could get £300 for his tenant right, the proposal of the Bill as it stood was that £25 should be given him as a gift. ["No!"]

MR. GLADSTONE: The Bill as it stands prevents the tenant right from being in any degree charged.

MR. EDWARD CLARKE said, that as the Bill stood it stated that the tenant was to satisfy the authority that he was unable to pay the rent, and there was no direction to the authority to deal with that matter; and if it were so perfectly clear, as a matter of construction, that the authority was to take into consideration the value of the tenant right, all he could say was that hon. Members from Ireland on his side of the House would probably be much dissatisfied with the construction which was put upon the Bill. He confessed he could hardly believe that this Bill, as it had been introduced by Her Majesty's Government, was their own view of what was just and right with regard to the administration of public money. Some 12 or 15 years ago, when he was connected with an organization which was endeavouring to assist the emigration of a great many London artizans, who, by the sudden change in our commercial policy, had been thrown out of employment and reduced to destitution, the Government was asked to give ships to carry them across the Atlantic; but the right hon. Gentleman the Prime Minister said that he objected to any gift of public money, except upon the ground of services rendered to the State. The Bill, as originally introduced, was of a very suspicious character. On the 27th of April there was read a second time in that House a Bill introduced by the hon. Member for New Ross (Mr. Redmond), but which, in the course of the debate, was declared to be the Bill of the hon. Member for the City of Cork (Mr. Parnell). It was declared by the hon. Member who brought it forward that it was the smallest Bill that would be accepted by those on whose behalf he spoke. On the 28th of April the hon. Member for the City of Cork had communicated to him what took place with respect to the Bill, and he wrote the famous letter in which he stated that if this matter of the arrears was settled upon the basis of gift and compulsion, and if other matters were dealt with, he would be able to assist the Government, and he made that promise which had now become historical — the promise which was suppressed—that he would assist the Government in that House, as well as in preventing outrage in Ireland. But if there was any hope that the Bill was to be a final settlement of matters in Ireland, that hope would be dispelled by reading the letter which the hon. Member for the City of Cork wrote. The Bill brought forward by the hon. Member for New Ross contained clauses about leases and about purchase, as well as about arrears, It was only one-fourth of that Bill which was now under consideration. What reason, then, was there to expect that this Bill would put an end to the pressure which was brought to bear upon the Government? That promise of precious and universal support made on behalf of persons "reasonably suspected" was made, not upon the faith of this Bill only, but upon condition that measures should be brought forward with regard to two other matters. [Mr. GLADSTONE dissented.] The Prime Minister shook his head. But the writer of the letter of the 28th of April said that the Purchase Clauses and the Lease Clauses must be dealt with as well as the arrears, and then he went on to say—

> "If this programme be carried out, we shall be able to help the Government to produce a cessation of outrage and to co-operate with the Liberal Party."

It was not in the case of a Bill of this kind, which involved a serious issue of principle, that he cared to lay stress upon the political accidents or pressure that had brought it before the House. He would be far better pleased to fight it out there, upon the question whether the principle was mischievous, and whether the measure was likely to be injurious in its results. There were two reasons for concluding that this could not be a final settlement. One was that it dealt with evils the causes of which were constant, and were not touched by the remedy proposed; and the other was that it had been brought into the House at the dictation of a Party which had already declared to the Minister who brought it in that they would not be satisfied with the measure.

MR. W. FOWLER said, he regretted the impossibility of giving the benefit of the Act of last year to all for whom it was intended. The country was now asked to pay a very large sum of money, and he should like to know what would be the result of the payment? He had read the Treasury Minute with great care, and a very interesting and curious document it was; but he still felt the difficulty of ascertaining exactly how much was to be paid. His own impression was that it was just as likely that £4,000,000 would be required as

£2,000,000; and, that being the case, it was very doubtful whether a great part of the money would not have to be paid by the taxpayers of the country. If so, it was his bounden duty to ask whether the payment of the money would produce a good result or none at all? He had listened yesterday with much interest to the speech of the hon. Member for Tipperary (Mr. Dillon), and to-day to that of the hon. Member for Clonmel (Mr. Moore), and he found them both of the same opinion, that if the value of the tenant's interest in his holding was to be taken into account in estimating his ability to pay arrears, the Government might as well abandon the Bill at once; but the right hon. Gentleman the Chancellor of the Duchy of Lancaster said he would do nothing of the kind. The right hon. Gentleman's argument to the tenants was—"I gave you last year property that you never had before—a valuable property in the land—and now you say that it is not to be treated as any part of your assets." Last year the House was told that the tenant right would be one of the landlord's securities; this year it was to be eliminated altogether. Thus, on the very threshold of the Bill, there was an extraordinary diversity of opinion as to its effect, and surely the House was entitled to know the real opinion of the Government on this subject? The right hon. Gentleman the Prime Minister had passed this point over very tenderly, and had said that it must be left, to a great extent, to the discretion of the Judges and the Commissioners; but that, he believed, could not be done, and the principle on which so important a point was to be decided ought to be settled by the House itself. If this were left an open question the Irish Representatives said that the Bill would be valueless, and certainly it would be strange to spend so much money and do no good after all. The money was to be a gift to the Irish tenants and not a loan. No Amendments intended to convert the gift into a loan would, as he was informed, be in Order in Committee; and, therefore, he could only take this opportunity of saying that he had rather lend the money than give it. There was another aspect of the Bill which much increased the difficulties of the question, and that was the justice or injustice with which it treated different classes of tenants. Mr. Townsend, of Skibbereen, had written a letter to *The Times* the other day which gave a curious illustration of the way in which the Bill might help an unworthy tenant. The following was a striking passage from the letter:—

> "The arrears of my own tenants offer a very interesting case in point. Shortly after the passage of the Land Act of 1870 I sold half my property to the tenants; they paid some 23 years' purchase, and, having borrowed most of this money from the Government, they, from that day to this, have paid their instalments regularly. Now, let us look at the other half. Almost immediately after the present Government came into office my tenants ceased paying any rent, and now owe about two and a-half years'. I offered 15 per cent reduction on rent and arrears, but my offer was refused; and possibly the Land Commission will reduce these rents by 20 per cent. None of my tenants' rents have been raised for 29 years, and it certainly does look hard that the honest men who bought at a high figure from me and paid regularly the old rent to Government as purchase instalments every six months since, should now see their neighbours paying no rent, a strong prospect of having one-fifth taken off their nominal obligation, and, besides, half the arrears paid by Government."

It was important to notice that the amount of arrears differed largely in different parts of the country. One noble Lord had told him that the Bill would suit him very well, because the amount of arrears on his estate was small. There were other estates where the amount of arrears was very large, and where the loss to the landlord might be very heavy. But the Government, in reply to all objections, said that they wanted to help the very poorest people in the land—the 40,000 very small holders of land in Ireland. He doubted whether it would not be wiser to keep their money in their pockets than pay it for such a purpose, for anything which came short of emigration would not cure, but at best only palliate the existing evil. On the other hand, there were thousands of persons in Ireland desirous of going away—he himself had been the means of helping some to emigrate—and he only wished they had been more firm in dealing with the Emigration Clauses last year instead of accepting Amendments the result of which was that the clause would not work at all. He desired to help those poor people as far as possible, but it was a very serious thing to vote away public money to pay private debts. The only answer the Chief Secretary had to that objection was that it was an exceptional measure. It certainly was, and he trusted it would be some time before another such exceptional measure was introduced, or perhaps some similar Bill might be pressed for by the people on this side of the Channel also. If the Treasury would listen to such appeals they would have plenty of applicants for their funds. They were told last year that the Land Act was to settle the question. Now they were told that it was not settled at all. He confessed he should be anxious to know what explanation the Government intended to give. Was this or was this not a measure which would satisfy the Representatives from Ireland? If it was not, what was the use of doing that which was an offence against the laws of political economy? If he could feel assured that the measure would tranquillize the country, he would vote ten times the amount asked for by the Government; but if he could not, if they were only going to raise hopes and encourage further demands, he felt some hesitation with regard to the course the Government were pursuing. He trusted, however, that the explanation of the Prime Minister would be satisfactory, and, therefore, he would support the Bill.

Mr. W. H. SMITH said, that the hon. Member who had just sat down had asked some questions of the greatest importance. He had asked whether the measure would do good or would fail—whether it would give satisfaction, contentment, and peace? If they listened to those who claimed to speak on behalf of the people of Ireland, they must answer those questions in the negative. Both the hon. Member for Salford (Mr. Arthur Arnold) and the hon. Gentleman the Secretary to the Treasury (Mr. Courtney) had spoken of the measure as unique. Indeed, it was remarkable that not one single Member of the Liberal Party had given to the measure an unreserved and unqualified support. All the hon. Members from Ireland had found fault with it, and those Irish Members whose judgment, experience, and loyalty the House valued most highly, had uniformly rejected the principle of gift, and expressed their conviction that the present proposal was immoral and dangerous, and that the principle of loan was the one which ought to have been adopted. The language of those supporters of the Government whose experience and knowledge of Ireland were most extensive ought to make them very cautious in accepting the principle of the Bill. He had listened attentively to the speech of the Chancellor of the Duchy of Lancaster, and he could discover little argument in it, and little else but a criticism of the speech of his right hon. Friend the Member for East Gloucestershire (Sir Michael Hicks-Beach). It was a defence—an apology—of the policy of the Government. It was an exhortation to patience. The right hon. Gentleman said—"Exercise patience; in five or six years you will see peace and contentment in Ireland." Five or six years was not a long period in the history of a nation. But the right hon. Gentleman had told them concession had been shown for 200 years—that we had been constantly giving way to the demands of Ireland, and yet, in the same breath, that the condition of Ireland was appalling; and he had appealed to Gentlemen on the Conservative Benches not to give way to excitement, but to wait patiently for five or six years. But when it was proposed to bring about a period of contentment and prosperity by the application of a measure which was unsound and wrong in principle—a measure which had followed other measures which had not proved successful—it was impossible to expect that the anodyne which some Members of that House had described the Bill to be—the dose of opium which it had been called—would not have to be renewed if Parliament decided on that occasion to administer it. The right hon. Gentleman the Chancellor of the Duchy of Lancaster had referred to the financial portion of the Bill, and had expressed preference for the opinion of the Chancellor of the Exchequer over the opinion of the hon. Member for Downpatrick (Mr. Mulholland). But, like his hon. Friend the Member for Cambridge (Mr. W. Fowler), he had paid some attention to the Treasury Minute which had been laid on the Table. The Chief Secretary for Ireland had stated that the Treasury actuary spoke with confidence of the sufficiency of the Church Fund to bear the charge which was to be imposed upon it. He thought he should be understood when he said that the value of that fund ought not to be pledged above its value. A banker who should advance money in excess of the real value of a security would act most rashly. What was the value which the Chancellor of the Exchequer attached to the Church Fund in 1869? The property consisted mainly of tithe rent-charge, whether commuted or held in perpetuity. The permanent tithe-rent was ordinarily sold for not more than 16 or 17 years' purchase. But the right hon. Gentleman felt himself justified in asking the proprietors to pay 22½ years' purchase, because he offered them a loan of the money at 3½ per cent. The highest estimate put on the charge was 17 years and a fraction. Yet, notwithstanding the offer of the money at 3½ per cent, not quite half of the landlords had availed themselves of the Chancellor of the Exchequer's offer. They held that 22½ years, with 3½ per cent interest, was not a good bargain for them; and, instead of accepting it, they were willing to run the risk of incurring the same charge for 52 years, under the probably well-founded belief that some Bill would be introduced into Parliament which would relieve them altogether of the charge or would considerably modify it. At the present time the landowners were paying the same charge, although the Land Acts of 1870 and 1881 had largely cut down their rents. He had no doubt whatever that some day a successful agitation would be got up against this tithe rent-charge, which was due, not to individuals or to the landlords, but to the State, and that when the votes of Irish Members were required to support a tottering and feeble Government, sufficient reasons would be found why this charge should not be enforced. What was proposed to be done in the circumstances? Here was a property, which was absolutely unsaleable, which was made a security for an advance at 3½ per cent interest by the National Debt Commissioners. Would a banker advance a single farthing upon such a security? He should say certainly not. But what had been the language on another occasion of the Chancellor of the Exchequer? On the 3rd of May, 1869, the present Prime Minister said—

> "There was no doubt that it was equivalent to enacting that landlords should continue for a given term of years, which he proposed to fix at 52, to pay to the Commissioners, or a body representing the State, the very same sum which they had hitherto paid to the clergymen, and that at the end of that term they should cease to pay anything at all, and that the rent-charge should absolutely merge."—[3 *Hansard*, cxcvi. 25.]

And the right hon. Gentleman went on to say that, as regarded the Church Fund, a property usually sold at 17 and a fraction years' purchase was to fetch 22½. That was not a bad transaction for the Church Fund. It was inconceivable that this language should not be brought up against a Chancellor of the Exchequer between the present time and the end of the 52 years. As regarded the perpetuity rents, there was provision in the Act that they might be bought up at 25 years' purchase. There was a further provision in the Act that the Commissioners should have the absolute right of selling the property by auction if they thought fit to take that course, although it was absolutely unsaleable in the present condition of the country, and had been so for several years. Did anyone think that an income derivable from unsaleable property was a good security for a 3½ per cent loan? The Church Commissioners had sold a considerable amount of Church property, but on terms which required the purchasers to pay interest at the rate of 4 per cent; but he had no hesitation in saying that if an agitation were got up, and the Government were applied to, the Government, with the consideration which they always showed to their supporters, would admit their equitable claim to a modification of those terms under the changed circumstances of the case. On the 16th of February, 1880, the right hon. Gentleman, now the Secretary of State for War, when the then Chancellor of the Exchequer was endeavouring to obtain the consent of the House to certain conditions with respect to the Relief of Distress Bill, said—

> "He had asked whether the Irish Church Temporalities Commissioners had any funds or not. The Chancellor of the Exchequer said they had not. The Irish Church Commissioners, therefore, while owing a very large sum, to be repaid by instalments, in order to get money, must borrow or suspend, to a certain extent, repayment of their debt. What the matter came to was this—they were asking persons to lend money who had no money whatever to lend."—[3 *Hansard*, ccl. 713.]

Since that date a charge of £20,000 per annum had been imposed by the present Ministry on the fund for the Royal University, and now this fund, which had no money to lend, must postpone the payments it was liable to make, in order that it might become the security on which the National Debt Commissioners might advance money. He was perfectly satisfied that the National Debt Commissioners, if left to act independently of the Chancellor of the Exchequer, would not lend a single halfpenny on such so-called security. There were many thousands of small payments which would not be paid at all except under the influence of the Government. That, certainly, was not a security which would be considered altogether of a satisfactory nature. There was one part of the speech of the right hon. Gentleman the Chancellor of the Duchy of Lancaster which he had listened to with great interest, and that was as to the provisions dealing with tenant right. He could not agree with his hon. Friend behind him that they ought to exclude any considerations as to the ability of the tenants to pay the rent. He thought there could be no doubt that the terms of the Bill almost required that the tenant right should be taken into consideration in determining whether or not the tenant was able to pay. The remarks of the right hon. Gentleman upon that subject certainly went some way to meet the very serious objections he had to the Bill. There was one consideration, however, which, he confessed, dismayed him. It had been said that the means taken to ascertain the ability of the tenant must be complete, and that the officers employed should be thoroughly satisfied as to the truth of the tenant's statement. But when they came to consider the matter in detail, he was quite staggered at the immense task which the State assumed. There were 400,000 holdings or more to which the measure would apply, and at least 150,000 of them would require to be examined as to this matter. The right hon. Gentleman the Chief Secretary for Ireland had spoken with confidence of the Land Commission, and said that at least 60,000 cases would be disposed of by August of next year—that was within two years. But he added this important qualification—namely, that a large proportion would be disposed of with the consent and arrangement of the landlords. But the decision as to whether a man was able to pay his rent, or was entitled to claim assistance from the State, did not admit of consent on the part of anybody. The right hon. Gentleman said that the landlords would object to the tenants obtaining relief, because a portion of the rent would be cancelled. Well, he was afraid that he took a rather low view of the possibilities of the case. He thought there were persons in Ireland who would not think it wrong to obtain money from the State somewhat easily. [MR. GLADSTONE: And in England also.] He agreed with the right hon. Gentleman when he said, "And in England too;" and his fear was that, once this Bill found its way into the Statute Book, it would excite a great deal of feeling in England—that people would say it was most unfair to confine such a measure to Ireland, and that a demand would be made for a Bill to pay the debts of poor agriculturists in this country. Another objection he had to this Bill was founded on the time it would take to ascertain who were entitled to its benefits. If justice were done, the cases under this Bill would require careful consideration, and if it took the officials of the Land Court two years to settle the rents of 80,000 persons, he wondered how long it would take a similar number of persons to ascertain whether 150,000 persons were or were not in a condition to pay their rents. This might seem a small point; but he did not so consider it, for they were asked to pass this Bill to give peace to Ireland, and if they postponed the decision of the cases in which there should be relief, then it appeared to him they would postpone the time when they would get peace. Still another objection was that the parts of Ireland which suffered most from the inability to pay rent were those to which this Bill would not apply, because the people there had no means whatever to pay the necessary year's rent, and the Government, which had had two years' notice of the condition of these people, was taking no steps whatever for their relief. For the chronic misery of a large portion of the population of Ireland there was no remedy but emigration. The unfortunate people must be removed from a position in which it was absolutely impossible for them, even in favourable years, to obtain a decent livelihood. He felt that this Bill would do more harm than good. He believed it would raise expectations that could not be realized. The only way to settle the difficulty was to grapple with it in such a manner as would provide a permanent remedy. It was said that this would take time; but he thought he had shown that this Bill would also take time, and meanwhile the Government were doing nothing to vindicate the character of England as a country that could deal with the difficulties of Ireland in a broad, wise, and statesmanlike manner.

Colonel Nolan and Mr. Goschen rose together, but the latter giving way,

Colonel NOLAN said, he thought that, considering how vitally his constituents were interested in the Bill, it was only right, after the speech of the right hon. Gentleman (Mr. W. H. Smith), that he, as an Irish Member, should thank the Prime Minister for having introduced it. It would undoubtedly benefit a very large class of the poorest people of Ireland. He had lately been at Tuam; he was there when the Bill was introduced, and he could speak with authority for the gratitude with which the measure was regarded by the typical agricultural population in that neighbourhood. He should endeavour, if possible, to enlarge the scope of the Bill in Committee; but, under any circumstances, he was extremely grateful for the introduction of the measure. He thought there were one or two fallacies which ran through the speeches which had been delivered in the course of the evening. One was the manner in which the Conservative Members had tried to run the question of emigration against the Bill. He thought that was a great mistake, for it would take a very clever man to say whether the Bill would promote emigration or not. Possibly, instead of putting a stop to emigration, it might promote it by rendering holdings more saleable than they were now. That would be emigration of the best kind, whereas emigration brought about by eviction was emigration of the worst form, every person leaving the country under such circumstances becoming an enemy of the State. Persons emigrating to America, under the provisons of this Bill, would go there with good and kindly feelings towards this country. Then, again, the Bill would make tenant right elastic in the West and South of Ireland, which at the present moment it was not. He thought, also, that the Bill should be made workable without entailing a heavy cost upon the tenant. A great deal of fuss was made about the sum of £500,000 which might have to come out of the Consolidated Fund. Ireland gave £7,500,000 to the Imperial Exchequer every year, and this £500,000 would not be as much as would be paid for the occupation of Egypt. When they recollected how many of the Imperial burdens they required the people of Ireland to pay, he thought by far too much fuss was made about this £500,000, when their object was to get the country out of a dead-lock. He must say that he thanked the Government very sincerely for the Bill, and he would give it all the support in his power. He knew that in doing so he would be voting in the interests of his constituents—both those who came under the Bill and those who did not.

Mr. GOSCHEN: With reference to the observation of the hon. and gallant Member, I may say that I should be sorry to stand in the way of any Irish Member who wishes to address the House on a measure which so materially affects Ireland. At the same time, I venture to say that English Members have some right and some *locus standi* even in speaking on these Irish questions, for I am bound to say that if we have done our duty in the House this year, we have had plenty of opportunities for informing ourselves as to the situation of Ireland, and of learning a great deal from hon. Members opposite. I do not propose to detain the House by any lengthened observations on the matter now before it. This is the fourth evening, practically, on which we have been debating what may be called the principle of this measure. We had two days on the second reading, and this is the second evening of the debate on going into Committee upon it. I certainly do not propose to follow the example of many hon. Members opposite, and to enumerate all the strong objections which may be made to the Bill. The hon. Member for Salford (Mr. Arthur Arnold) said that this is a measure which required no apology under the exceptional circumstances of the case. I cannot agree with the hon. Member, nor do I think the Government will admit that he was right on that point.

Mr. ARTHUR ARNOLD: I did not say that it required no apology.

Mr. GOSCHEN: I understood the hon. Member to use language to that effect—namely, that it needed no apology. I noted his words at the time; but I need not dwell on that point. There has been no Government so strong in eminent financial authorities as the present Government, and I am sure they will admit that the measure requires an apology, and a very strong and a very decided apology. And what is that apology? The apology offered is that the Bill is absolutely necessary for the peace of Ireland. That was the conclusion of the speech of my right hon. Friend the Chief Secretary to the Lord Lieutenant of Ireland on the second reading. That was the burden of the powerful speech made by my right hon. Friend the Member for Bradford (Mr. W. E. Forster) on the second reading. That has been the burden of all the speeches which have been made on behalf of this measure—namely, that it is absolutely necessary for the settlement of Ireland, that it is absolutely necessary for the success of the Land Act, and that, if we do not supplement that Act by this additional measure, we shall run the risk of the failure of those great sacrifices which this Legislature has made in passing that Land Act. I think that I fairly state the case which is made on behalf of the Bill when I put it as strongly as that, and, if that be so, then I say that the argument of the right hon. Gentleman who lately addressed the House with regard to the surplus of the Church Fund, though dealing with a matter of extreme importance, is one that cannot be decisive with this House. If it be true that this Bill is absolutely necessary, financial considerations cannot stand in its way. Do not let us blind ourselves to the sacrifices which may be necessary. I have listened, and probably most of the House has listened, with interest to the debate as to the value of the Church Surplus Fund. It is a matter exceedingly interesting to the taxpayers of this country. If the hon. Member opposite, who spoke with considerable authority on this matter, be right, the demands on the taxpayers of this country will be very great indeed in order to satisfy this measure, which is alleged to be essential for the peace of Ireland. That sacrifice will be very great indeed, but it must be faced if the necessity exists. On the other hand, the Government contend that the sacrifice to the taxpayers may be limited to £500,000.

Mr. GLADSTONE: What I said was that I had very good reason to believe that they would have to make no sacrifice; but, by way of extreme caution, I added that they may have to pay that amount.

Mr. GOSCHEN: My right hon. Friend has put me right in the matter. He says that, by way of extreme caution, we may have to face this £500,000. The hon. and gallant Gentleman (Colonel Nolan), who has just addressed the House, said we ought not to make too much fuss about a sum of £500,000. I do not follow him in the spirit of that observation, but I follow him in substance. If this measure is absolutely necessary, if it can be shown to be absolutely necessary for the pacification of Ireland, the taxpayers of this country will not refuse, and would not wish to refuse, £500,000 if it be necessary for the purpose. A challenge was addressed to me personally by the right hon. Gentleman opposite in the debate on the second reading. I was asked what I should say of this employment of the resources of the taxpayer? I have often heard it said that we ought to deal with Ireland in a just and generous spirit, and I have sometimes asked myself what is a generous spirit in dealing with Ireland? I think that if the taxpayers put their hands into their pockets, and are prepared to make pecuniary sacrifices for the redressing of Irish grievances, that is a much truer generosity than endeavouring by legislation to redress grievances by transferring the property of one class to the pockets of another. It is, I think, a much truer test of generosity. We, perhaps, use the term "generous" a little too much in this House. It is justice, as my right hon. Friend at the head of the Government said, that the Irish demand, and it is justice they ought to have; but, at any rate, I do not think that, when people speak of generosity in any measure which is to do justice to one set of persons, we ought, in meting out that justice, to endeavour to sacrifice the rights of others. I am perfectly content that it should be brought home to the taxpayers of this country that Ireland may sometimes have to be dealt with in a really generous spirit. If this measure is passed, I hope the Irish may realize that it is a distinct gift to them for the sake of pacifying Ireland, and, perhaps, a very costly gift at the expense of the Imperial Exchequer. It is well we should look the matter in the face, and consider why the money of the taxpayer should be absolutely necessary for such a purpose. Now, if the House will bear with me for a moment, I would wish to examine the point of the necessity and how this necessity has arisen. Having been challenged, I say if this Bill is absolutely necessary, then the money ought to be found. It was stated last night by right hon. Friend the Chief Secretary for Ireland that the necessity was caused by exceptional circumstances. The Government and the House will be prepared to admit that it is only the most exceptional circumstances which would justify us in giving our votes for a measure of this kind. I was a little alarmed when my right hon. Friend the Chief Secretary for Ireland commenced his arguments upon that point by speaking of the bad harvests of two or three years, because it seemed to me absolutely clear that unless he could carry the argument a great deal further, to allude to the exceptional character of the harvests as justifying this measure was a very dangerous argument to apply. It was dangerous from more than one point of view. Of course, it occurred to us that these bad harvests had been as severe or more severe in England than in Ireland. But I do not think the right hon. Gentleman stopped short at the exceptional harvests. If it were simply a case of eleemosynary relief to clear off arrears of rent accrued through bad harvests, we ought to reject the Bill, under any circumstances, because, if harvests have been so bad that tenants cannot pay, it seems clear that the landlords would naturally lose their rents, and the State ought not to interfere to protect landlords from the consequences of tenants being unable to pay rents on account of bad harvests. We have, therefore, to examine the further point—why are we to indemnify the landlords? It is for this reason—that it is not only and not chiefly bad harvests that have created exceptional circumstances. The exceptional circumstances seem to me to be these—bad harvests have been contemporaneous with, or have been preceded by, a state of things which makes it most desirable that the tenants should not bear the full consequences, which the natural effect of bad harvests would have upon them, and, at the same time, that a certain compensation should be given to the landlord. For what? For suspending the evictions which might otherwise take place. That, it appears to me, is the real origin of the Bill, and it is this which makes it a matter of Imperial concern. It is desired that the tenants, impoverished by bad seasons, should not be evicted by their landlords, and that the payment to the landlords should be made practically in consideration of their not exercising their full rights against the tenants, and letting off the tenants from their arrears with this object—that the tenants are to remain in their holdings. We have been told that evictions lead to outrages; and, therefore, the arrears are to be cancelled in order to avoid evictions on the part of the landlords. I think that is a fair statement of the case for the Bill. The case made for the Bill is that this is not eleemosynary relief, but that it is considered of importance Imperially, in order to save the tenants, that evictions should be suspended. I should be perfectly satisfied with this statement of the case except for one circumstance, which certainly has influenced the House in this debate, and has made us regard this Bill with more apprehension than anything else, and that is, that while some evictions take place on account of arrears, others take place on account of the war waged against the landlords by the Land League through their directing the tenants to hold the harvest. Evictions may be the arbitrary acts of cruel landlords, but they may also be the just and proper exercise of the right of the landlords in the face of the advice given to the tenants to hold the harvest. We, therefore, cannot distinguish between the evictions, and we are unable to say which are cruel evictions and which are evictions in the legitimate exercise of the landlord's right provoked by the action of the Land League. Had it not been for this, I am sure that this Bill would have been approached with more friendliness in many quarters of this House. But it is to be observed that the dishonest tenant who has held the harvest will benefit by this Bill, while the honest tenant who has paid his rent will not get any advantage from it. It is that consideration which influences so strongly not only English Members in this House, but also the hon. Member for the County of Cork (Mr. Shaw), who made a stronger speech against the particular form of the Bill almost, perhaps, than any other that was made in this House. It appears, therefore, that the situation is this—that one of the many causes of the hostility—I think the natural hostility—entertained towards the Bill from this point of view is that the dishonest tenant who has held his harvest will get freed from his arrears. That objection can only be met in one way, and that is by a most rigorous exercise of that provision which is put into the Bill, that it is only in cases of inability to pay that this boon is intended to be given. The dishonest tenant will gain and the honest tenant will lose unless stringent provisions are inserted in the Bill that the dishonest tenant shall pay. Then you arrive at this point—that it is, as a matter of fact, the bankruptcy of the tenant which is to be taken into consideration. Now, there is no speech to which I have listened with more satisfaction than that of my right hon. Friend the Member for Birmingham (Mr. John Bright), who addressed the House earlier in the evening, when it was not nearly so full as it is at present. His language was perfectly straightforward and strong upon the question of the tenant's inability to pay. I admit fully the enormous difficulty of discovery; I admit the argument put forward as to the delay which inquiry involves; but I feel that the principle is so essential to the morality of this Bill, that it is so essential even to its success and to the prevention of demoralization in Ireland, that there is no point to which I venture to call the attention of the Government more earnestly, although I am sure their attention has been already given to it, than the ability of the tenant to pay. Now, we must hope that there will be no definition given at starting by the Commissioners which will throw any doubt upon that principle. I am perfectly satisfied with what has been stated upon this subject by the right hon. Gentleman the Member for Birmingham, who said we shall examine into the state of the tenant's holding, and take into consideration the state of his house and all the various indications of well-being and prosperity, the stock upon the farm, and so forth. Those things will be taken into consideration; but I trust that great care will be taken that a definition will not be laid down early in the administration of this Bill that the tenant should not pay arrears by selling his stock or by other means, on the ground that he would not be able to conduct his farm. I trust I do not offend hon. Members from Ireland by dwelling on this point, because they themselves have said that this must not be a demoralizing Bill. They have laid it down that they did not want to demoralize, and therefore I trust that the whole House, and afterwards the Executive Government, will look to that point, and that they will see that the real justification of this Bill, and that which will alone excuse us for having passed this measure, will be that it is administered according to the intentions of the Government, and what I believe to be the intentions of the Legislature—namely, that the ability of the tenant to pay is to be taken into consideration. Now, one word on the important question of the value of the tenant right. As far as I can understand it, the Bill appears to be so drafted that the Commissioners will be bound to take into consideration the tenant right. If it is a thing upon which money can be raised, or which can be turned into cash in any way, it enables the tenant to pay. It is, so far, an asset, and I would entreat Her Majesty's Government to consider the point thoroughly when we are in Committee that there may be no misunderstanding whatever on this subject. I can quite understand that it may be held, as it was held by the hon. Member for Tipperary (Mr. Dillon), that it would diminish the value of the Bill if the tenant right is to be taken into consideration. If that be so, let us know where we are. For instance, if in the smaller holdings the tenant right is pledged beforehand, or if it is of such a small extent as not to be an available asset, if there are circumstances which will lead to evictions, those very evictions against which the Government wish to provide, let us have the case before us in Committee. Let it be settled there whether, in respect of the smallest holdings, the tenant right is to be taken into consideration; but do not let us afterwards, when the Bill has passed, put the matter into the hands of the Commissioners. Let it be decided boldly, and, what is most important, let it be decided by this House. I think in some of the smallest cases, possibly, it might defeat the object of the Bill; but let that also be taken into consideration. As the Bill is drafted it would have to be dealt with, it would have to be considered, and an Amendment would be necessary if it is to be excluded. I now call the attention of the Committee to the other cases of tenant right where it is of more value; and, I ask, can we justify it to our constituents to pass a clause, if such were in the Bill, which would compel us to pay the landlord a year's arrears, and which would enable the tenant to sell his tenant right, perhaps the next day, for £200 or £300, and go off to America with the proceeds? On that point, again, it struck me that the intentions of my right hon. Friend the Member for Birmingham were perfectly satisfactory, when he acknowledged that such a state of things could not be permitted. A few words more, Sir, upon the question of loan or gift, which touches this question of tenant right to a certain extent. No part of the interesting and eloquent speech of my right hon. Friend struck me more than the argument he made in favour of the system of gift, as against the system of loan proposed by Irish Members on this side of the House. I cannot put the case as well as he did, but I venture to sum up the point he made as follows. He prefers a gift in the case of those who are unable to pay to a loan to everybody. He contrasted the scheme of hon. Members from Ireland, who proposed that, without any investigation as to the ability or not of the tenant to pay, all should receive a loan for the purpose of paying off arrears, with the Government plan that a gift should only be made in the case of those whose inability to pay is proved. I think he is right, that it would be more demoralizing to make promiscuous loans to everybody than to make gifts to those whose inability to pay is proved. Thus I come back to the main point which influences me so strongly as to cause me to intervene in this debate—let it be clear that there is inability to pay, and let us reject the theory that in all cases of tenants in arrears there should be no examination into their cases. If that were the intention, then I should infinitely prefer a loan, which is less demoralizing than a gift, which would, in such a case, be equally promiscuous. I admit that a loan has many advantages over a gift, inasmuch as it makes those who receive it feel that they have to pay; but I acknowledge the force of the argument that in many cases, if the money were given without any examination, men would get it who were not entitled to it. The point seems to be to insist upon two conditions —the tenant's inability to pay, and the £30 line alluded to by the right hon. Member for Birmingham which stands in the Bill. If the House consents to the system of gift with the £30 line, rather than a loan without that line, it will furnish an additional reason for the Government to stand firm at their guns with regard to the limit here introduced. I have only one further suggestion to make —we should bring it home to those who avail themselves of this Bill in some way that the money is lent. Now, the objections to a loan are that it will impose a fresh burden on the tenant, and that it will increase his rent; and I confess that it will be an anomaly, when a fair rent has been fixed for the tenant, to increase that rent by a charge which will represent the interest on the amount of arrears. But I would suggest this, and I shall be prepared to move it, that if a tenant sells his tenant right within a certain number of years by his own action, after his arrears have been paid off for him, then the amount charged to the State should be a charge upon the sum which he realizes for his tenant right. It appears to me that this would meet the difficulty to a certain extent. The tenant would not have to pay a rent increased by the amount of interest, a result which it is desirable to avoid, but would start clear at the commencement of his operations. I think it would meet that blot on the Bill that the tenant should be able to sell his tenant right and keep that money for himself after his arrears have been paid off. I trust that Irish Members will admit that I have not discussed this question in any tone of hostility to their wishes. I believe the wish of all in this House is that we should be able to make progress in settling this question — that we may know that the last demand has been made for legislation on the Irish Land

Question; that the rights of the landlord and tenant have been defined; that capital may once more go to Ireland in the confident expectation that no further legislation is likely to weaken that security which is at the foundation of all national prosperity.

Sir STAFFORD NORTHCOTE: Sir, I cannot doubt that the whole House will re-echo the closing wish of the right hon. Gentleman the Member for Ripon that we may soon arrive at the time when no further demand for legislation with regard to the land system of Ireland shall be made upon this House. But although we may re-echo that wish, I cannot see that the feeling of the House in general is likely to be very sanguine as to its fulfilment. Now, the extremely ingenious speech to which we have listened seems to foreshadow a very considerable amount of difficulty which we shall have to encounter when this Bill goes into Committee. The right hon. Gentleman has recounted the arguments for and against the course to be pursued, and he has justified the Bill on the ground of the exceptional circumstances which require the introduction of a measure of this extent and character. Nothing can prove the exceptional character of the measure more than the analysis which the right hon. Gentleman has given of the circumstances surrounding it, and it is perfectly clear that if we are to make anything out of the Bill which will be useful and not dangerous it will be by much careful handling and after-consideration. But the right hon. Gentleman uses the same argument as was used by the Chief Secretary to the Lord Lieutenant when he says that the Bill is justified by the exceptional circumstances of the time. Sir, we do not object to the Bill because it is exceptional, we object to it because we think it is bad. I do not speak of what the Bill might be made in the imagination of one or another, but of the Bill as we have it before us. And, indeed, it seems to me the Bill in its main principles is bad; because, in the first place, it is unjust with regard to the present; and, in the next, because it is likely to be mischievous in the future. When we are told this is a case of necessity I would warn the House that it is an important axiom that you should be exceedingly careful how you act under the plea of necessity. Under such circumstances, you are liable to take very wild steps, and to get into very serious error; you are liable to set aside everything in the shape of prudence, because you say there is an overwhelming necessity. I cannot think, though I listened to the clever speeches delivered yesterday and to-day, that the tone of the debate has been one to support the plea of absolute necessity. There has been a large number of Gentlemen, not on this side only, but on that side—not alone English Members, but Irish Members also—who have but feebly supported the Bill as proposed. Objections have been made to the principles of it, and important alterations have been proposed, while even from the Ministerial Benches what we have heard has been much more in the tone of apology than of defence. Undoubtedly, very much has been said by the right hon. Gentleman the Chancellor of the Duchy of Lancaster which is good in tone, and which, no doubt, expresses the convictions which he entertains at this moment; but I cannot help saying with regard to such a point as that, for instance, of the charge on the tenant right, that while the right hon. Gentleman maintains that it would be unjust not to reckon the tenant's interest as one of the assets to be taken into account in estimating the tenant's inability to pay, the hon. Member for Tipperary (Mr. Dillon), who represents an extreme section of opinion in this House, denounces that proposal as one which will almost render the Bill worthless. And, what is much more dangerous and significant, the Prime Minister, when he introduced the Bill, left that very point open. The right hon. Gentleman seems to have taken up an intermediate position between the Chancellor of the Duchy of Lancaster and the hon. Member for Tipperary, because he said that while there was much to be left to those who must administer the Act, he could not but admit that there were circumstances under which he would rather incline to the opinion that the tenant right ought not to be charged. The right hon. Gentleman still keeps himself unpledged on that point, and I am reminded that it is one of the great objections that we feel to this kind of legislation that we never know where we are. Now, Parliament is in an awkward position at this moment. That we are acting under the supposed sense of extreme necessity rests upon the clear statement of the right hon. Gentleman the Member for Ripon (Mr. Goschen). We are pressed to do something which should be strong and exceptional, and under the guidance of the Government, which commands the confidence of a large majority of the House, and which is able to give effect to that which it proposes; but, at the same time, we are conscious in our own minds, and we know perfectly well by the experience of the past three years, that the initiative in this case has not lain with the Government; but they have devised a scheme of policy which they have invited us to adopt as the one which would be safe and expedient. What they have done has been this. From time to time, when some Member of the Irish Party has brought forward a proposition, they have taken it up first by objecting to it, then by saying it was demoralizing, and then by bringing it forward and pressing it on the House. We have had abundant instances of this in the last three Sessions, beginning with the Compensation for Disturbance Bill; and remembering how that was not the original measure of the Government, but was taken from the hands of the hon. and learned Member for Mayo (Mr. O'Connor Power), who proposed to introduce a clause to which the Government objected, and to which they would have nothing to say until they saw the necessity of bringing it up as a measure of their own. But the same thing has happened with regard to other measures, and notably in the case of this measure, which is not a measure of the Government. In the Land Act of last year, undoubtedly there was a clause dealing with the question of arrears; but even that was not in the original Bill, but was proposed in the course of discussion. When, however, it was proposed, it was different from this Bill, because it was not compulsory. Objection was taken to it even then, and it was said by the noble Lord the Member for Woodstock (Lord Randolph Churchill) that the proposal was one which was demoralizing. What was the answer of the Government? That it would be most demoralizing if compulsory. "I cannot," said, the right hon. Member for Bradford, speaking for the Government, "see that there is anything demoralizing in it. It would, doubtless, be demoralizing, and very demoralizing, if we forced the parties to accept the proposal, and said to the tenants, 'We will step in between you and the landlords,' and said to the landlords, 'You shall not claim more than 50 per cent of the debt due to you,' that would be demoralizing." That is exactly what we are asked to do now. Then we are told that it is necessary for the peace of Ireland, and for the repression of outrage, that we should pass a demoralizing Bill. That strikes me as a very extraordinary doctrine. It cannot be justified on the ground that the Ministers of the Crown are so wise that they must know better than we do what is necessary, and, therefore, we had better take their word for it. Our debates might be very well closed if that is to be the line of argument. I could not help being struck with the expression of the Chancellor of the Duchy of Lancaster, when he referred to the difficult question of the Church Surplus Fund, and the sufficiency of that Fund for meeting this charge. What was his argument? After paying a well-merited compliment to the hon. Member for Downpatrick (Mr. Mulholland), he said everybody would be willing to believe the Chancellor of the Exchequer rather than the hon. Member for Downpatrick. That is just it. We are always to take things on trust on the authority of those who put them forward; but we are not favoured with any real arguments to meet the arguments of the other side. With regard to the sufficiency of the Church Surplus Fund, I do not now wish to enter into that lengthy question. My right hon. Friend the Member for Westminster (Mr. W. H. Smith) said what would convince those who looked into the matter, that there is a great deal of force in the remarks of the hon. Member for Downpatrick, and when the authority of the right hon. Gentleman the Chancellor of the Exchequer is quoted with such confidence, it must be remembered that the right hon. Gentleman has varied from time to time. Last year we were told this amount would be some £700,000.

Mr. GLADSTONE: I am not aware that I ever made any careful estimate.

Sir STAFFORD NORTHCOTE: With regard to a careful estimate, I am not prepared to say anything; but on the 21st of July £700,000 was the sum mentioned, I think, by the right hon, Member for Bradford (Mr. W. E. Forster). He said—

> "I have arrived at the calculation that in all probability the maximum drain on the Treasury, or, I should say, on the Consolidated Fund in the first place, and on the Irish Church Surplus Fund afterwards, will not amount to more than £700,000, or even so much as that." —[3 *Hansard*, cclxiii. 1552.]

Later on, in the same debate, the Chancellor of the Exchequer said—

> "Without entering into details, and looking at the figures as stated by my right hon. Friend, and admitting that it is possible or probable that these claims may reach to £500,000 or something more."—[*Ibid.*, 1566.]

That would fall very far short of the sum now stated to be necessary.

MR. W. E. FORSTER: That remark was made with reference to the probable cost of the proposition of last year, and the conditions applying to that proposal. The proposal of this year is different, and the conditions are different.

SIR STAFFORD NORTHCOTE: We have got beyond last year of course, and I merely mention that as the consideration with which we began. That was a different proposal; but that is not what I particularly wish to mention. Even this Session the Chancellor of the Exchequer has brought forward another estimate. He began by talking of £1,500,000, and then has worked that up to £2,000,000, and yesterday he warned us that it was not, after all, an estimate—that it was little more than a conjecture—and he could by no means be answerable that the sum would be confined to £2,000,000 or to £2,500,000. That shows that there is a considerable degree of uncertainty—that we must, at all events, be prepared for different estimates. Let me now say this—that is not the point; what I object to is the bringing in of the Consolidated Fund. What, I say, is so dangerous as the bringing in of the Consolidated Fund at all? As long as you limited your Proviso to a certain fixed sum, whatever it might be, out of the Church Surplus Fund, there was a limit; but there is no limit of grant from the Consolidated Fund. You may go to it for £500,000 or for £5,000,000, and you are laying in a principle which is of a most dangerous and demoralizing character; and I would call upon the House to be on their guard in this matter, and to regard the interests, not only of the taxpayer in this country—though those are very important—but even the interests of the people of Ireland, and not to give them the impression that they are to have the whole Consolidated Fund of this country thrown open to them if they can only bring pressure enough to bear on the Government. The right hon. Gentleman the Chancellor of the Duchy of Lancaster spoke rather contemptuously of the objection taken by some Members to the revival of this system of offering sops to Irish Members. He said sops to discontented men were not unknown to all Parties in Parliament, and he thought they might sometimes be wise. [Mr. JOHN BRIGHT: I spoke of the Irish people.] Well, I admit that there may be occasions on which it may be wise to be generous to the Irish people; but if that liberality takes the form that you are yielding to pressure, it loses all the graces and advantages of the gift, and awakens sentiments which are most dangerous to encourage. The right hon. Gentleman ought to bear in mind that our objection to this proposal is that it is unjust, not only to the English taxpayer, but to the Irish landlords, as you are there dealing with a class of men upon whom you have brought by your policy, as I contend, very great suffering. We have heard about all those evictions, and the right hon. Gentleman the Member for Ripon (Mr. Goschen) says you need this Bill in order to stop outrages, because outrages are caused by evictions; evictions are caused by arrears; and arrears are to be dealt with by this Bill. [Mr. GOSCHEN: That was the argument.] That was the argument which was well stated by the right hon. Gentleman, who very properly put in a *caveat* to the effect that all the evictions were not caused by arrears; but all of them were caused by the Land League. There is no doubt that a very large proportion of the mischief comes from the language used by those who incited the people against the landlords, and knew very well why they incited them; and they have not scrupled to tell us the reason, through the mouth of their leaders. But we cannot stop there; we must look behind the members of the Land League, and we cannot hold the present Government altogether clear of having used language well calculated to stir up the feelings which have led to these evictions on the part of landlords as a measure of self-defence. The right hon. Gentleman said the Opposition were to blame because their Party feeling led them to bring charges against the Government of vacillation and half-heartedness. We certainly allege that there has been a great deal of vacillation and half-heartedness; but that is not all, or the principal thing with which we charge them. We say it is the inflammatory language used in former times, which, to a great extent, set this evil in motion. I do not say that is the whole cause of the evil, or that there are no other evils of longer standing in Ireland; of course there are, and I do not say we are to ignore them; but I do say that the language of some Members of the Government, especially before they were actually in Office, and even since they have been in Office, has not infrequently been of a character most dangerous to the peace of Ireland. We have had a great deal of experience now of the policy of the Government with regard to Ireland. It has been of a spasmodic character—sometimes in the direction of coercion, sometimes in the direction of what is called conciliation. What is the result of it? We have had now the policy which was, I believe we may say, initiated 14 years ago by the right hon. Gentleman (Mr. Gladstone), when he first took up his parable of the three branches of the Upas tree, and we know how that policy was carried in 1869 and 1870. Since then the present Government has been formed, and what is the result of what has been done? Compare the state of Ireland with what it was two or three years ago. Have we made the improvement anticipated? I remember that last year I was told that the proposal with regard to arrears was brought forward on the ground of justice, and as a message of peace. I ventured to say a few words as to its being a message of peace, and I was taken to task in the most censorious manner, and told to look at the progress Ireland had made in the last 30 years, and was made to look small by the castigation administered. But now are we so very well satisfied with the state of Ireland? Is it so charming and satisfactory? I think we may apply to the condition of Ireland at the present time that word which the Prime Minister applied to a speech recently heard in this House, and say the state of Ireland is "heart-breaking." The animosities between class and class seem now to be as vigorous as ever, and tending to be more vigorous. We have bitterness against the English people; we have the authority of the law very much set aside; the power of the Executive weakened and set at nought; the principles—I will not say of political economy—but even of honesty and justice ignored; we have wild hopes raised which are cruelly disappointed, and that engenders those ill-feelings, while, on the other hand, the hopes generated turn men away from those measures which would develop very substantial prosperity, and the language and the acts of the Ministry have tended very much to aggravate that state of things. I will not say that such language exactly as used by the Ministers, but their language as it is understood by the people, tends to that result; and, worse than all, the people are being taught by practical experience that the way to get more than they have got is to agitate. We all desire the welfare of Ireland; we are all anxious that that country should be peaceful and prosperous; and we know she ought to be and might be a great element of strength to the Empire. If she stood on that footing with reference to this country upon which she ought to stand, it would be greatly to our happiness and to hers. But it is the continual agitation which is kept up, whether on the platform, or in the Press, or in the Castle Chamber, which is doing all the harm and preventing the people settling down. And, whether that agitation is in Parliament or on the platform, it is that agitation which is doing all the harm. The right hon. Gentleman said he would preach patience. Well, I want to preach patience as much as possible; but patience is not to be cultivated by bringing forward hasty measures, not of your own devising, but adopted for somebody else—adopted as part of an arrangement by which difficulties are to be got rid of. No, Sir; I say the patience we want is the patience of abstinence from irritating legislation. And when you bring forward legislation let it be complete. Do not let us have a fragment of a Bill, because we know perfectly well that this is not all that is to come. The Government have said that there are other points to be dealt with, and that, we see, keeps alive all this expectation. Where the last Act was beginning to work it was seen that the tenants were beginning to pay their rents, or to come to arrangements with their landlords, and it was believed that matters would quiet down into something like a reasonable settlement; but all that has been rudely interrupted by the very introduction of this Bill, and now the Chancellor of the Exchequer comes forward and takes advantage of the state of things he has brought about, saying—"This is the condition of affairs —pass this Bill and put an end to it." Talk about "putting an end to it," I cannot see where the end is to be. There is no appearance of finality whatever about this Bill; it is but a further step in the line of progress to which we have unfortunately committed ourselves. Therefore it is that, desirous as I am in every way to forward the true interests of Ireland, I believe that this Bill will be not only inefficient, but injurious to that country in its operations, and will encourage a vicious system of which we shall feel the effect in the coming years, and it is on that account that I am prepared to give my most strenuous opposition to it.

MR. CHILDERS: I cannot but think that the House and the country will favourably contrast the speech of my right hon. Friend the Member for Ripon (Mr. Goschen), who immediately preceded the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), with that of the right hon. Baronet. The speech of my right hon. Friend was such a speech as we might have expected from him, or from any Member of this House who desired to discuss this question without passion and on its merits; and I cannot but think that it is to be regretted that the right hon. Baronet—though I confess in some parts of his speech he did allude to the details and general effect of this Bill—thought it necessary on the present occasion to devote so many of his words to denunciation of Parties in this House—from the Gentlemen who sit below the Gangway on the other side to Ministers here—passing altogether, in the latter part of his statement, from the real question affecting this Bill, and dealing almost exclusively with what is much more likely to inflame the passions than to help the judgment of this House. Sir, I will endeavour, in following the right hon. Gentleman, to bring the House back a little to the facts concerning what he and others have described as the origin of this Bill, and the reasons why it has been brought in by Her Majesty's Government. An hon. Member — the hon. and learned Member for Plymouth (Mr. E. Clarke), I think—spoke of this Bill as having originated in a measure introduced earlier in the Session. He said that in this Bill one-fourth of the proposals of the earlier Bill are followed and fulfilled. He assumes that the other Bill was the reason for the introduction of this one. Well, if this were really the case, and if this Bill really originated in the earlier measure introduced by an hon. Member below the Gangway opposite, and followed a fourth of the proposals of that measure, I should like to ask what are the facts as to certain other proposals of a very much larger character, proposals affecting the question of the purchase of land in Ireland, which Her Majesty's Government have not thrown upon the Table of the House in haste, as has been suggested in the case of this Bill, but which have emanated from "another place," and which, but for some unfortunate accident, would have been introduced here? Those proposals were far more copies of the sweeping changes recommended by hon. Gentlemen opposite; and, that being stated at the time, no doubt dismayed my right hon. Friend and checked the production of his Bill or his Resolution. What would have been said of that plan compared with this, the origin of which I will state to the House in two or three words? During the discussion of the Land Bill last Session, it was soon seen that it was absolutely necessary to deal with arrears of rent. A proposal was made by the Government—a proposal not, I think, opposed in any part of the House with any vigour, but one upon which there was only one suggestion made in the course of the criticism that took place—and a clause was introduced which was intended by the Government to meet this very question of the necessity of clearing away the arrears of rent. It is now thrown in our teeth that we then estimated that if the clause we introduced came into active operation, it would only have involved the payment of £700,000, whereas the present Bill will involve an expenditure of something like £2,000,000. It is the failure of that proposal—the failure of the proposal in the Act of last year—which is the origin, and the only origin, of the present Bill; and I do not think that any words of mine are necessary to enforce the admirable description which my right hon. Friend the Member for Ripon (Mr. Goschen) gave of the real character and objects of this measure. Its character and objects are not at all such as have been described by right hon. Gentlemen on the Front Bench opposite. The Bill is simply and solely a supplement to the Land Bill of last year, and it is hoped that if it is adopted by Parliament it will soon deal with the existing difficulties in Ireland, and enable the Land Act to be worked satisfactorily. That is the origin of the Bill, and I hope that in our discussions we shall adhere to the plain proposal of Her Majesty's Government, and not connect it with some imaginary ideas such as those which have been shadowed out by the right hon. Baronet opposite, not one of which ever entered into the minds of us who are responsible for the measure. But a good deal has been said on one point—a point which was alluded to in the debate on the second reading. We have heard a great deal about one great difference between this Bill and that of last year, and that is that, in the measure of last Session, it was not considered necessary to introduce as a condition for an advance to a tenant inability to pay; whereas, as my right hon. Friend has very justly pointed out, the necessity of proving inability to pay the arrears before assistance is rendered is one of the cardinal features of this proposal. Well, Sir, upon whose advice did we insert the condition of inability to pay? Why, on the advice and recommendation of right hon. Gentlemen on the Front Bench opposite. The only real criticism of the proposal of last year was that it did not enforce the condition of inability to pay. In this Bill we have adopted the suggestion, and, therefore, to have it thrown in our teeth that we have introduced something which is unworkable, but which we believe to be the very essence of the Bill, appears to me one of the most—if I may say so—inconsistent pieces of criticism which in Parliamentary language could be applied by the Front Opposition Bench to the proposal of the Government. Sir, as to the main features and objects of the Bill, I will not repeat, as I have said before, the language of my right hon. Friend. At this time of night—1.10 A.M.—my doing so would only weaken what I wish to put before the House. I adopt the general description of the Bill and its objects which my right hon. Friend shadowed out, and I believe the terse sentences which he addressed to the House will be accepted by the public as the real justification of this most necessary measure. But one or two expressions have fallen from hon. Gentlemen in the latter part of the debate which I must notice. The hon. and learned Member opposite (Mr. E. Clarke) said that if this Bill were one which dealt only with a question between the landlords and tenants in Ireland, and they were the only persons interested in it, much could be said for it. He used strong language to show that the Bill was not one of that kind. He objected to it because it would affect the landlords and tenants of England and Scotland; but the construction he puts upon the origin and character of the measure is not a fair construction. I assert, without fear of contradiction, that the Bill is to bring about a settlement between the landlords and tenants of Ireland, who are the persons primarily interested in it—it is another step in the direction of that important settlement upon which we have been engaged for the last two years. And I hope that, when it is remembered that on the second reading of the measure not more than six Irish Members opposed it, and that of those only one or two were county Members, the House will see that the measure is not rejected by the landlords of Ireland, and that it is known to be in their interest, as well as in the interest of the tenants. On these grounds we offer it to the House, and I trust the majority, consisting as they do of English and Scotch proprietors, will not be led away by the doctrine of the hon. and learned Member, and refuse to adopt what Ireland, by an immense majority of her Representatives, asks for, merely because it may be unpleasant to a certain number of English and Scotch proprietors. But, passing from these general considerations, I should like to refer for a moment to what fell from the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot). The hon. and gallant Baronet, in the earlier part of the debate, gave an illustration of the working of the Bill, which, I think, shows that he, and those who cheered him, do not understand the operation of the measure. He read a letter—every word of which I heard—describing the condition of an estate in Ireland on which rents had been paid for 1880. He was expressly challenged whether the rents had been paid up to May or November, 1880, and he said he did not know; but he said this Bill would be most unfair to the estate on which these rents had been paid. He did not notice the fact that the Bill will not affect any estate the rents of which were paid in 1880. Such estates are outside the province of the Bill altogether, and if those who cheered the hon. and gallant Member did so on the assumption that his illustration was a fair one for the purposes of this Bill, they will now admit, I hope, that in doing so they were entirely mistaken. But there is another and a more important point, as to the action of this Bill. It has been alluded to several times this evening, and, amongst others, by my right hon. Friend the Member for Ripon (Mr. Goschen), and I must say that, with but one exception, I entirely agree with the conclusions he drew. The question has been asked and answered, but asked again several times since it was last answered—"How will this Bill affect tenants who claim inability to pay, but who possess a valuable tenant right—will it require them to dispose of their tenant right?" The answer is this—that if the tenant, having the privilege of tenant right, was in such a position that, in order to pay his arrears, he would have to sell his tenant right and his other property, so as to cease to be practically a tenant, he would come under the operation of this Bill. But if, after paying his arrears, he still could hold his farm as "a going concern"—which were the words used on the second reading—being able to raise a sufficient amount to pay his arrears, then, undoubtedly, he would not be in a position of inability to pay under this Bill, and his case would not be included. It is a question of his farm being in the position of what is known in commercial language as "a going concern" or not which would be the test as to whether he ought to be required to raise money to pay up his arrears. I agree with my right hon. Friend that it would be by no means an easy matter to define ability to pay; but if it should be necessary to introduce any definition, it should be on that basis, and that basis alone. The right hon. Gentleman (Mr. Goschen) will excuse me if I offer a criticism of the suggestion he has made on the subject of tenant right. He has proposed that, should the tenant, after he has had the benefit of this Bill, in some future year sell his tenant right and go abroad, the Government should be able to recover from the value of the tenancy the advance which may have been made. Well, I do not think, as at present advised, that that could be done. What we want is to clear the whole matter up once and for all. It would be necessary, if my right hon. Friend's proposal were accepted, to follow a tenant from year to year, and keeping 200,000 men, as it were, on the books of Government until they sold their tenant right. Now, Sir, I will pass from those considerations to what fell from the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) and the hon. Gentleman the Member for Downpatrick (Mr. Mulholland), who closely criticized the financial clauses of the Bill. I must say a word as to an expression which fell from the right hon. Gentleman opposite. The right hon. Gentleman said that, as between the present proposal of gift and the other proposal of loan, a gift was an immoral, and a loan, I suppose, was a moral proceeding. I do not see myself the distinction between a loan amounting in all to £6,000,000, of which £2,000,000 would be a gift, and a simple gift of the same amount. If the gift of £2,000,000 is given direct, the gift is as equally immoral as if the sum only formed part of the entire advance of £6,000,000. A loan on which no interest was paid, or on which only 1 per cent was paid, would be, to a great extent, a gift.

MR. W. H. SMITH: I made no such proposal.

MR. CHILDERS: No; the only proposition for loan which has yet been made has been made on this side of the House; but the right hon. Gentleman was in perfect sympathy with the suggestion. I must say that, whether the right hon. Gentleman made the proposal or not, he adopted it. Talking of the immorality of our proceeding, what did the right hon. Gentleman tell us? He told us that while the Government, with the consideration that it has for its supporters, would be prepared henceforth to reduce certain payments; he saw excellent reason which would be found for the landlords obtaining a great reduction, and ultimately the abolition of the rent-charges imposed by Act of Parliament.

Mr. W. H. SMITH: It was the language of the Prime Minister himself which I quoted.

Mr. CHILDERS: No, Sir; I must be allowed to correct the statement of the right hon. Gentleman. It was a different sentence which he quoted from the speech of my right hon. Friend. What I have quoted was what he alleged himself as a reasonable arrangement to be obtained by the landlords for altogether abolishing rent-charges; and he said those reasons would be found when Parties were pretty equally balanced, and the landlords of Ireland could throw their swords into the scale. Of all the immoral suggestions I have heard in the present debate, such a suggestion, thrown out to the whole body of landlords in Ireland, was about the most immoral. I must connect it with the other suggestions thrown out by the right hon. Gentleman, and I beg he will allow me to say that on this question I must decline to be bound by the financial morality he has propounded to Parliament. I pass from that to the specific questions before the House—namely, whether £2,000,000 is likely to cover the claims which will be made for grants under this Act, and to what extent the Church Fund may be expected to supply the necessary amount. I will take first the question as to the sufficiency of the sum of £2,000,000. One hon. Member spoke in rather hard words of the Treasury Minute of the 26th of June last, which stated, with great clearness, the grounds on which it was expected £2,000,000 would be the full amount required under the Bill. Will the House allow me to refer very briefly to that Minute? That Minute gives in detail the information upon which the Government felt justified in setting the amount down at £2,000,000. The first of the sources of information upon which the Government relied was the Report of the Commissioner of Valuation; and the other sources of information were the Inland Revenue, the Constabulary, and the Local Government Board, to all of whom we are greatly indebted for the extreme patience and care with which they have inquired into this most difficult question. The Commissioner of Valuation, it will be seen, estimates on excellent grounds that the amount to be called for will not exceed £1,700,000. The Commissioners of Inland Revenue say that the Government can be called upon to pay £2,400,000, subject to very great deductions indeed—those deductions amounting to at least £400,000. The Constabulary Return comes to about the same amount. It is very difficult to calculate for each county; but if hon. Members take the trouble to go through the facts given us, they will see that according to the Constabulary Return the amount cannot exceed £2,000,000. The Local Government Board estimate that the sum claimed will be about £1,400,000. The Government having before them these four calculations, were justified, I think, in saying that the outside sum might be £2,000,000. I now pass on to consider the calculation of the hon. Member for Downpatrick (Mr. Mulholland). I was, unfortunately, compelled to be elsewhere when the hon. Gentleman spoke yesterday; but I think his speech has been accurately reported in the organ to which we generally look for information. I attach great importance to the figures of the hon. Gentleman, and I hope the House will bear with me for a few moments while I deal with them. The hon. Gentleman adopts a method of computation which, without admitting altogether its absolute correctness, I will accept for the sake of argument. The hon. Gentleman said he had calculated the amount of a perpetual annuity that would be the equivalent of the Terminable Annuities. The tithe rent-charge, he said, at present amounting to £195,000, may be taken at £162,000; the tithe rent-charge already converted into 52 years' annuities would become £140,500 a-year; the land instalments would be represented by £37,800 a-year; rents, £61,000; mortgages on land, £37,000; the relief of distress instalments, £33,000; making a total of £471,000. He deducts £50,000 a-year for taxes, management, and annuities still payable, and that leaves £421,000 as the equivalent of the present income of the Church estate in perpetuity. I will allow a deduction of 5 per cent from the income for the cost of collection, and I will remind the House that that is ample, for in recent years it has only been 2 per cent—I will allow 5 per cent to be on the safe side. That will amount to £23,000, so that the income will be represented by the sum of £398,000. The perpetuity equivalent to a loan by the Government of £9,574,000 at 3½ per cent, which the hon. Gentleman has assumed—I take his percentage—is £325,000; and, therefore, deducting that from £398,000, there is a surplus of £73,000 available for the purposes of this Bill. Now, the interest on the £2,000,000, which is supposed to be the charge on this Bill, at the rate of interest suggested by the hon. Gentleman, would be £70,000; therefore, on his calculation, there would be a balance, though a very small one, after fully providing for the charge. But I do not admit the fairness in all respects of the hon. Gentleman's calculations; I do not admit that the tithe rent-charge payers will convert themselves into annuitants. If the hon. Member has read the last Report of the Church Commissioners, he will see they give four very excellent reasons why the tithe rent-charge payers should not so convert themselves, why it would be unwise for them to do so. Assuming that half of them do convert themselves into annuitants, there would be a deduction of £16,000 instead of £32,000. I distinctly do not admit that the perpetuity expenses will be £50,000 a-year; and I think it would be fairer to take 3¼ per cent instead of 3½ per cent, as the interest which the Government has to pay. These three items amount to £53,000, and, therefore, the surplus, after providing for the charge of this Bill, will be £56,000 instead of £3,000. This £56,000 will be available to meet those contingencies as to still further deductions of income, which were foreshadowed by the hon. Gentleman. I think I have fairly shown to the House that on the basis of the hon. Gentleman's calculations, and taking his own percentage, there will be a surplus, and that by amending his calculations there will be an ample surplus to meet the contingencies he had darkly foreshadowed. At this time of the night (1.35) I shall not ask the House of Commons to do more than to accept as fair, from the financial point of view, the statement which I have put forward; to accept, from the political point of view, the statement made in such forcible language by my right hon. Friend the Member for Ripon (Mr. Goschen); and to reject, from the moral point of view, the ground taken up by the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith).

Question put.

The House *divided:* — Ayes 283; Noes 208: Majority 75.

AYES.

Acland, C. T. D.
Acland, Sir T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Amory, Sir J. H.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Baldwin, E.
Balfour, Sir G.
Balfour, J. B.
Baring, Viscount
Barran, J.
Bass, Sir A.
Bass, H.
Baxter, rt. hon. W. E.
Biddulph, M.
Biggar, J. G.
Blake, J. A.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brogden, A.
Brooks, M.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buszard, M. C.
Butt, C. P.
Byrne, G. M.
Callan, P.
Campbell, Lord C.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. R.
Causton, R. K.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Collings, J.
Collins, E.
Colthurst, Col. D. La T.
Corbet, W. J.
Corbett, J.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Cropper, J.
Cross, J. K.
Crum, A.
Cunliffe, Sir R. A.
Currie, Sir D.
Davey, H.
Davies, W.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Duff, R. W.
Dundas, hon. J. C.
Earp, T.
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Errington, G.
Evans, T. W.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Fay, C. J.
Ferguson, R.
Ffolkes, Sir W. H. B.
Findlater, W.
Firth, J. F. B.
Flower, C.
Foljambe, C. G. S.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fowler, H. H.
Fowler, W.
Fry, L.
Fry, T.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Lord D.
Gordon, Sir A.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grafton, F. W.
Grant, A.
Grant, Sir G. M.

Grenfell, W. H.
Gurdon, R. T.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Healy, T. M.
Henderson, F.
Heneage, E.
Henry, M.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.
Holland, S.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Howard, J.
Illingworth, A.
Inderwick, F. A.
James, C.
James, Sir H.
James, W. H.
Jenkins, D. J.
Jenkins, Sir J. J.
Johnson, W. M.
Jones-Parry, L.
Kinnear, J.
Labouchere, H.
Lambton, hon. F. W.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leahy, J.
Leake, R.
Leamy, E.
Leatham, E. A.
Lee, H.
Leeman, J. J.
Lefevre, rt. hn. G. J. S.
Leigh, hon. G. H. C.
Lubbock, Sir J.
Lymington, Viscount
Lyons, R. D.
M'Arthur, A.
M'Carthy, J.
M'Clure, Sir T.
M'Coan, J. C.
Macfarlane, D. H.
M'Intyre, Æneas J.
M'Kenna, Sir J. N.
Mackie, R. B.
Mackintosh, C. F.
M'Laren, C. B. B.
Macliver, P. S.
M'Minnies, J. G.
Magniac, C.
Maitland, W. F.
Mappin, F. T.
Marjoribanks, E.
Martin, P.
Martin, R. B.
Mason, H.
Mellor, J. W.
Milbank, Sir F. A.
Molloy, B. C.
Monk, C. J.

Moore, A.
Morgan, rt. hon. G. O.
Morley, A.
Morley, S.
Mundella, rt. hon. A. J.
Noel, E.
Nolan, Colonel J. P.
O'Brien, Sir P.
O'Connor, T. P.
O'Donoghue, The
O'Gorman Mahon, Col. The
O'Kelly, J.
O'Shaughnessy, R.
O'Shea, W. H.
O'Sullivan, W. H.
Otway, Sir A.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Parnell, C. S.
Pease, A.
Pease, Sir J. W.
Peddie, J. D.
Pender, J.
Pennington, F.
Playfair, rt. hon. L.
Porter, A. M.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Power, J. O'C.
Power, R.
Pugh, L. P.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Reid, R. T.
Rendel, S.
Richard, H.
Richardson, J. N.
Richardson, T.
Roberts, J.
Robertson, H.
Rogers, J. E. T.
Roundell, C. S.
Russell, G. W. E.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuelson, B.
Samuelson, H.
Seely, C. (Nottingham)
Sexton, T.
Sheil, E.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Slagg, J.
Smith, E.
Stanley, hon. E. L.
Stevenson, J. C.
Stewart, J.
Stuart, H. V.
Summers, W.
Synan, E. J.
Talbot, C. R. M.
Tavistock, Marquess of

Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Trevelyan, rt. hn. G. O.
Vivian, A. P.
Walter, J.
Webster, J.
Wedderburn, Sir D.
Whitbread, S.
Whitworth, B.
Wiggin, H.
Williams, S. C. E.

Williamson, S.
Willis, W.
Willyams, E. W. B.
Wilson, C. H.
Wilson, I.
Wilson, Sir M.
Wodehouse, E. R.
Woodall, W.
Woolf, S.

TELLERS.

Grosvenor, Lord R.
Kensington, Lord

NOES.

Alexander, Colonel C.
Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barne, F. St. J. N.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bentinck, rt. hn G. C.
Biddell, W.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, rt. hon. R.
Brise, Colonel R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brooks, W. C.
Bruce, Sir H. H.
Bruce, hon. T.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burnaby, General E. S.
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, J. A.
Carden, Sir R. W.
Cecil, Lord E. H. B. G.
Chaplin, H.
Clarke, E.
Clive, Col. hon. G. W.
Coddington, W.
Cole, Viscount
Collins, T.
Compton, F.
Coope, O. E.
Corry, J. P.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Dalrymple, C.
Davenport, H. T.
Davenport, W. B.
Dawnay, hon. G. C.
De Worms, Baron H.
Digby, Col. hon. E. T.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.

Eaton, H. W.
Ecroyd, W. F.
Egerton, hon. W.
Elliot, Sir G.
Elliot, G. W.
Emlyn, Viscount
Ennis, Sir J.
Ewing, A. O.
Feilden, Maj.-Gen. R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Filmer, Sir E.
Finch, G. H.
Fitzpatrick, hn. B. E. B.
Fitzwilliam, hn. H. W.
Fletcher, Sir H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Fort, R.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Freshfield, C. K.
Galway, Viscount
Gardner, R. Richardson
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goldney, Sir G.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Greer, T.
Gregory, G. B.
Grey, A. H. G.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Harcourt, E. W.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, A. S.
Hinchingbrook, Visc.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Jackson, W. L.
Kennard, Col. E. H.
Kennaway, Sir J. H.

Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrance, J. C.
Lawrence, Sir T.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, R.
Leighton, Sir B.
Leighton, S.
Levett, T. J.
Lewisham, Viscount
Lindsay, Sir R. L.
Long, W. H.
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
Macartney, J. W. E.
M'Garel-Hogg, Sir J.
Mac Iver, D.
Macnaghten, E.
Makins, Colonel W. T.
Master, T. W. C.
Maxwell, Sir H. E.
Miles, C. W.
Miles, Sir P. J. W.
Mills, Sir C. H.
Monckton, F.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Murray, C. J.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hon. Sir S. H.
Northcote, H. S.
Onslow, D.
Paget, R. H.
Patrick, R. W. Cochran-
Peek, Sir H.
Pell, A.
Pemberton, E. L.
Percy, Earl
Percy, Lord A.
Phipps, C. N. P.
Plunket, rt. hon. D. R.
Price, Captain G. E.
Puleston, J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Rendlesham, Lord
Ridley, Sir M. W.
Ritchie, C. T.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Schreiber, C.
Sclater-Booth, rt. hon. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Smith, A.
Smith, rt. hon. W. H.
Stafford, Marquess of
Stanhope, hon. E.
Stanley, rt. hon. Col. F. A.
Stanley, E. J.
Storer, G.
Storey, S.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col. T. E.
Thomson, H.
Thornhill, T.
Tollemache, H. J.
Tollemache, hn. W. F.
Tottenham, A. L.
Wallace, Sir R.
Walrond, Col. W. H.
Warburton, P. E.
Warton, C. N.
Welby-Gregory, Sir W. E.
Whitley, E.
Williams, Colonel O.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Wyndham, hon. P.
Yorke, J. R.

TELLERS.
Crichton, Viscount
Winn, R.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

MR. GIBSON: before that Question is put I wish to ask a question of the Prime Minister. I should like to know, in the first place, when he proposes to proceed with the operative work of the Committee; and, secondly, I wish to put a question of great importance as to the construction of the Bill. At present the position of the landlord and tenant appears to be involved in great obscurity. The proceedings, on the application of the tenant, may take up considerable time; and if it cannot be heard for six or eight months after it has been made, what is to be the position of the tenant in relation to the payment of rent and the possibility of eviction? And what is to be the position of the landlord in reference to the receipt of the rent and the power of eviction if the rent is not paid? Supposing a tenant were to make an application, with a view of obtaining the benefit of the Act, within a month after its passing, his application might not be heard for six months afterwards, so that sufficient time would elapse to enable a new year's rent to accrue. Is it intended that the tenant shall remain in possession without paying any of the new year's rent; and is the landlord to remain in possession of his power to evict in case he gets no rent? It is perfectly obvious that this is a most vital point, and that a new year's rent will have become due before you know where you are. I do not know what is the intention of the framers of the Bill; but it is certain that the application of the tenant to get the benefit of the Act, under these circumstances, might be a mere idle form, and not do him any good. It is a matter of primary importance, which must obviously have been thought out by the Government; and I should like the Prime Minister, or some other Member of the Government, to give an answer to the question.

MR. GLADSTONE: The question of the right hon. and learned Gentleman is one which in its details is not very easy for me to follow, and I shall be unable to give an answer to it to-night. [*Cries of* "Oh!"] I can assure the House that interruptions of this nature are not calculated to add to the dignity of the proceedings of the House. The right hon. and learned Gentleman gives me more credit for professional acuteness than I am entitled to. But in the Bill as it stands there is, according to the intention of the Government, no provision which alters the position of landlord and tenant in relation to one another during the period before the provisions of the Bill are settled. The question, however, will arise more legitimately when we come to discuss the details of the measure, and, in the meantime, it shall receive the consideration of the Government.

Sir STAFFORD NORTHCOTE: In regard to the order of our proceedings, I think it would be very much for the convenience of the House that we should be informed to-night whether there is really any idea of having a Saturday Sitting for proceeding with the Arrears Bill.

Mr. GLADSTONE: No, Sir.

Sir STAFFORD NORTHCOTE: I certainly hope not; and it will be a matter of great convenience to have a distinct understanding. I presume that the Report on the Prevention of Crime Bill will be taken to-morrow; and if it be necessary to have a Saturday Sitting for completing that Bill, I understand it will be asked for. But it would be inconvenient to the House, and unfair to a large number of hon. Members, if they are not assured to-night that they will not be required to be in the House on Saturday for the purpose of proceeding with the Arrears Bill. I think we should be assured that it will not be taken until Monday. That would, I think, meet the general sense of the House; and it is really important that we should have the question definitely answered now.

Mr. GLADSTONE: I am unable to state to-night whether the Government will have to make a demand for a Saturday Sitting or not.

Sir STAFFORD NORTHCOTE: Not for this Bill?

Mr. GLADSTONE: It might be for the convenience of Public Business that the House should meet on Saturday, and I am not in a position at the present moment to say whether we shall have to make a demand upon hon. Members or not. I must remind the right hon. Gentleman of the appeal made to me yesterday by the hon. Member for the City of Cork (Mr. Parnell). Our full expectation was that the proceedings on the Prevention of Crime Bill would occupy to-morrow and Saturday; and, that being the anticipation of the hon. Member for the City of Cork, he held out the prospect to us of being able to close the proceedings on the Crime Bill on Friday if the Government would promise to go on with the Arrears Bill on Saturday. Although I was not able to give the hon. Member an answer to the question, because I had had no opportunity of ascertaining what the feeling of the House might be on the subject, no doubt there would be a certain amount of difference in meeting on Saturday for the purpose of concluding one Bill and meeting for the purpose of commencing a new stage of another. I should, of course, be unwilling to do anything without the consent of the House; but I think it would be an extremely graceful act, in the peculiar circumstances of Ireland and after the many delays that have occurred in the discussion of the Bill, if there were a general willingness on the part of hon. Members to go forward with the Arrears Bill on Saturday.

Mr. J. LOWTHER: The right hon. Gentleman tells us that he is not in a position, at 2 o'clock on Friday morning, to inform the House whether or no this Bill will be taken this day, or Saturday, or when it would be taken. He said that some arrangement was suggested by the hon. Member for the City of Cork, and I may, perhaps, be allowed to take the opportunity of observing that this is not the first occasion on which an arrangement has been put forward by the hon. Member for the City of Cork and eagerly accepted by the Prime Minister. I wish, however, to point out that there are many hon. Members who might reasonably claim the indulgence of the House to make some observations upon this Bill, inasmuch as they have abstained from doing so, up to the present time, with the view of expediting the course of the Bill and facilitating the proceedings of the Committee. I venture to think it would be scarcely reasonable that the right hon. Gentleman should not make a statement as to the day on which the Bill will be taken. If he will put the Bill down for Monday next, so as to allow hon. Members to make their arrangements, I believe he will find that in the long run he would be facilitating the progress of the measure.

Mr. BRODRICK said, it would be of great advantage to the House if the Government informed them at that moment what was the course they intended to pursue with regard to this Bill; but as they appeared not to be in a position to make the desired statement he begged to move the adjournment of the debate, in order to give them time to consider their position.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Brodrick.*)

MR. GLADSTONE said, if that Motion was pressed he should agree to it, but should unquestionably move that the debate be adjourned to Saturday.

SIR STAFFORD NORTHCOTE said, he wished to point out that his hon. Friend who had moved the adjournment had no other object in view than to save the time of the House, and consult the convenience of hon. Members. The result of the course indicated by the right hon. Gentleman would be that the Question, "That Mr. Speaker do leave the Chair," would be discussed over again on Saturday, and in that case the whole of the day would probably be consumed, while at the end of the Sitting the House would be in precisely the same position as they were then in; they would not be able to begin the work in Committee before Monday. Now, if the right hon. Gentleman would say he would take the Committee on the Bill on Monday next, the House would be in a position at once to go to a decision upon the Question "That Mr. Speaker do leave the Chair." However, the matter was one for the decision of the Prime Minister.

MR. GLADSTONE said, he had stated as candidly and fairly as possible that, considering the peculiarity of the position, it would be a graceful act on the part of the House to proceed with this Bill on Saturday. In making that appeal he had stated that he would not press the House to take the Arrears Bill unless there was a general disposition to accede to his request; whereupon, up rose the right hon. Member for North Lincolnshire (Mr .J. Lowther), who went back to a former declaration of his, which was not at all in question, and had nothing to do with the present situation; after which the hon. Member for West Surrey (Mr. Brodrick) rose and said, as he (Mr. Gladstone) had not given a positive answer to the question upon the subject of the Bill, he would move the adjournment of the debate.

MR. BRODRICK said, the words he used were, that if the Government could not now give a positive answer he would move the adjournment of the debate, in order to give them time for consideration.

MR. GLADSTONE said, his appeal had been made to the kindness of Members, on which he believed the Government could reckon. It was rather sad that they should have arrived at a time when, if the Leader of the House, however unworthy he might be, made an appeal to the kindness of Members, Gentlemen immediately shouted "No!" as though any appeal to their kindness would be unavailing. He did wish to know from the Leaders of the Opposition whether he might hope for their acquiescence in his proposal to take the Bill on Saturday, which he was aware it was quite in their power under the Rules of the House to withhold?

MR. PARNELL said, he had to state, so far as the Prevention of Crime Bill was concerned, that hon. Members who usually acted with him had no intention of taking any further part in the two stages which still remained for discussion. They had arrived at that decision, not on account of any prospect that there might be of a Saturday Sitting for the Arrears Bill, but because of other matters which it was not then necessary to enlarge upon. They had fought the Prevention of Crime Bill as long as there was any reasonable hope of making alterations in its provisions; but they had ceased to make any further stand against the Bill as soon as they found that there was no chance of carrying any radical Amendment. Therefore, they did not intend to oppose the taking of the third reading of the Bill to-morrow, in the event of the Government asking the House to sanction that course. He should, of course, be glad that the House should take the Arrears Bill next Saturday; but the prospect of a Saturday Sitting had in no way influenced himself or his hon. Friends with regard to the course which they had thought it right to pursue.

MR. GLADSTONE said, he was afraid he must interpret the silence of the hon. Members opposite as signifying that they were unwilling to accede to the request he had made. But the declaration which had just come from the hon. Member for the City of Cork with respect to the Prevention of Crime Bill in some respect altered the position, and gave room for the belief that the Prevention of Crime

Bill would probably be disposed of at the Morning Sitting to-morrow; and that at the Evening Sitting they might proceed with the Committee on the Arrears Bill.

Mr. BRODRICK said, after the statement of the right hon. Gentleman, he would ask permission to withdraw his Motion.

Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

WAYS AND MEANS.—COMMITTEE.

RESOLUTION.

Ways and Means—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

> "That there shall be granted and paid to Her Majesty, her heirs, and successors, upon every half-pound weight of any article or substance called by any name of Coffee or Chicory, or prepared or manufactured for the purpose of being in imitation of, or in any respect to resemble or to serve as a substitute for Coffee or Chicory, which is sold or kept for sale in the United Kingdom, and also upon every half-pound weight of any mixture of such article or substance as aforesaid with Coffee or Chicory, which is sold or kept for sale in the United Kingdon, the Duty of Excise of one penny."—(*Mr. Courtney.*)

Mr. MAGNIAC said, as far as he was concerned, this question had taken him entirely by surprise by the manner in which it had been proposed that evening. He had had an interview with the hon. Gentleman who moved this Resolution, some time ago, in company with his hon. Friend the Member for Bristol (Mr. S. Morley), representing as they did a very large number of persons interested, and himself representing the London Chamber of Commerce. The object was to obtain a promise from the hon. Gentleman that this matter would not be taken without due Notice, and they were assured that ample Notice would be given. The hon. Gentleman said that there would be every opportunity for discussing the matter thereafter; but everyone must know that the first step that was taken afforded the only opportunity to Members of getting their views with regard to the course they desired to adopt considered and supported. If this had been a subject which ought not to have been discussed, such, for instance, as the imposition of the duty on tea or spirits, he could have understood that it was in the interest of the Revenue to take the course which was now being followed; but this matter had been under the consideration of the Government for some time, and a distinct promise had been given to a large section of the trade who waited on the authorities that this measure should be duly announced. A different course, however, had been followed by the Treasury. It would be impossible to conceive a more contemptible mode of adding to the Revenue than by providing that it should be derived from one article sold in the name of another. Coffee was very much appreciated in this country; but it was rather dear, having to be brought from foreign countries, and it had occurred to the minds of ingenious individuals who were in the habit of making cheap substitutes that if they could make an imitation of coffee it would be to their advantage. A number of substitutes for coffee were now sold in the shops, the principal among them being what was called Date coffee. This Date coffee he had analyzed, and he was prepared to say that its contents bore the barest possible trace of the essential principles of coffee. It contained a large percentage of glucose, and, in effect, it was a precious compound consisting of dates mashed up and burnt, with just enough trace of coffee to enable it to be called coffee. If it were called dates, it would not find purchasers; if it were called dates and a little coffee, it would not sell; but being called Date coffee, it was generally purchased. Then there was another, a French coffee, composed of sweet acorns found in the Forest of Auvergne, which were ground up and sold here as French coffee without containing a particle of coffee. At one time a great deal was heard about wooden nutmegs; but it appeared to him that the morality of that manufacture was no worse than that of selling Date coffee and French coffee for real coffee. Then there was another compound called Malt coffee. It was said to have a strong infusion of coffee; but what it was made of nobody could tell. There was another article composed of rye and figs, and a little coffee, and if the manufacturer of that could sell it at 8*d.* or 1*s.* per lb., he would be very happy to pay this duty. As the hon. Member below him had said, makers of these compounds would be very willing to pay 2*d.* on the pound, while they were allowed to sell these compounds as coffee. Patent medicines were imposed on people by the Government stamp; and now these precious compounds were to be stamped with the *imprimatur*. That was as immoral a proposal as could be conceived. It was a deceit upon people upon whom these articles were passed off as coffee. None of these compounds contained more than 20 per cent of coffee, and most of them contained only 5 or 10 per cent. Then it was said that the Revenue would receive more from these articles than from pure coffee; but he did not think that argument was creditable to the Government. The right hon. Gentleman had said that taste and habit had grown up for these things. Taste and habit had grown up with the sellers, and was likely to continue to grow if people were permitted to sell these compounds. By this Resolution, manufacturers would be led to commit fraud upon the people going into shops, in order that the Government might receive a duty of 2*d.* on the pound. He hoped the House would not allow this to be done, and that, at all events, it would defer the matter until those who were interested in the matter had an opportunity of representing their case to the Government. Those people were at present preparing a Memorial to the Government, and he hoped the Government would give an assurance that no further steps should be taken without further Notice.

MR. GLADSTONE said, the speech of his hon. Friend reminded him of many and great afflictions that he had endured in former times, the cause of which had been exactly the same as that now brought up—namely, that the Revenue Department, whose whole and simple task was to meet the necessities of the country by providing sufficient funds from the Revenue with as little trouble as possible—they having their sins to answer for—were likewise to be dragged into a controversy as to adulteration. He assured his hon. Friend that he was mistaken in supposing that there was anything in this proposal which could surprise the trade. The usual proceeding was to allow a preliminary duty to be taken in a preliminary Committee of the House, because it could not be inserted in the Bill without that preliminary Committee. All the Government wanted was that this proposal should appear in the Bill, and hon. Members should have plenty of Notice, and an opportunity of discussing the matter, and should not have the least ground for charging the Government with taking them by surprise. Under these circumstances, he hoped his hon. Friend would allow the preliminary step.

MR. GEORGE RUSSELL said, he hoped the Committee would allow the duty to be taken. He could not think the hon. Member for Bedford had reason to complain, because he had overwhelmed the Committee with the intricacies of adulteration. He himself had had as little opportunity of preparing a case for defence as the hon. Member had had for making his attack. He had amongst his constituents three classes of adulterators. In the first place, there was a Company trading in a mixture of coffee, cocoa, and milk; then there were others who were involved in Companies who manufactured Date coffee; and then he would recommend an individual who made a Dandelion coffee. All these occupations had been a great deal agitated by the danger which threatened them. He was told these products were not dangerous to health, and further, that they were palatable, which was more surprising, and some people had even described them as actually beneficial to health. Many persons said that after using Dandelion coffee they had experienced a beneficial invigoration of their physical power never before enjoyed; and, further, the compounds were admitted to be political handmaids to that cause with which the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) was so identified. As to the question of the necessity for adulteration, upon which the hon. Member had spoken with so much moral fervour, there was no suspicion in the matter, because the manufacturers were willing to drop the name of Coffee and to call their mixtures Datine, or by any other word which would satisfy the philological instincts of the Committee. He hoped the Committee would follow the steps of the right hon. Gentleman, and secure to the peaceful and industrious inhabitants of Aylesbury their time-won freedom of adulteration.

MR. WARTON said, he doubted whether the speech of the hon. Member was a genuine speech in favour of adulteration, or whether the hon. Member was not ridiculing adulterators, whom he professed to protect. With regard to the question generally, everybody knew that the Premier was highly respected for his moral principles; but he never before heard the right hon. Gentleman sink to an immoral level. He protested, in the name of common morality, against this proposal. There was great danger in bringing forward these principles, especially as the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) had long laid it down that adulteration was only a form of Free Trade. It was said that the adulterators of coffee were willing to change the name of the compound they were supplying; but that was not according to the terms of the Resolution, which contained these words—

> "Any article or substance called by any name of coffee or chicory, or prepared or manufactured for the purpose of being in imitation of, or in any respect to resemble or to serve as a substitute for, coffee or chicory, which is sold or kept for sale in the United Kingdom."

This he might characterize as a most impudent Motion—it allowed anything to be called coffee or chicory. With regard to Date coffee, everyone knew that the very best dates in the grocers' shops were not more than 8*d.* per lb., whereas the best coffee was worth more than twice as much. He thought the Resolution now proposed by the Government was really a pandering to commercial immorality.

MR. MAGNIAC said, that Dandelion coffee had no coffee in it at all. It had been carefully analyzed, and found to be totally devoid of coffee. The hon. Member for Aylesbury (Mr. G. Russell) said his friends would be perfectly willing to drop the name "coffee" altogether in regard to the substance they sold. That, to his (Mr. Magniac's) mind, would be the proper course to pursue. Let the adulterators call the substance they manufactured or dealt in by another name than coffee, then the present Resolution would be perfectly unnecessary.

MR. GLADSTONE: I beg the hon. Gentleman's pardon, I cannot do without the Resolution; I cannot stir a step without it. This is a new duty, and I must have the Resolution.

MR. MAGNIAC said, the Resolution stated "any article or substance called by any name of coffee or chicory." If, therefore, the name was changed, the article mentioned in the Motion would not exist, and the Resolution would be unnecessary. He was perfectly satisfied with what had fallen from the hon. Member for Aylesbury, and if the hon. Gentleman and his friends would drop the name "coffee" in regard to the article in which they dealt, it would answer all purposes. If they did not drop the name his (Mr. Magniac's) objection would remain, because he considered it in the highest degree immoral that the State should allow an article to be sold as that which it was not.

MR. WHITLEY said, there was considerable misconception on the part of some hon. Members with regard to this matter. Hon. Gentlemen seemed to think that the Resolution would affect the Adulteration Acts; but that was not the case. Those Acts would still touch a person who sold under the name of "coffee" an article that was manufactured, say, from malt. Malt coffee was warmly recommended by medical men and had a large consumption, but those who dealt in it complained of the hardship of being compelled to pay this extra duty. They paid the Coffee Duty, and now they would have to pay the extra duty on the mixture. The compound was well advertised, its character was not disguised, and the public knew very well what it was, and it was in such general use that its manufacturers would even prefer to pay duty twice over rather than that the sale should be stopped under the present conditions.

Motion *agreed to.*

Resolution to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow,* at Two of the clock.

PUBLIC OFFICES SITE BILL.—[BILL 221.]

(*Mr. Shaw Lefevre, Lord Frederick Cavendish.*)

THIRD READING.

Order for Third Reading read, and *discharged.*

Motion made, and Question proposed, "That the Bill be re-committed, in respect of Clauses 5, 7, and 16."—(*Mr. Shaw Lefevre.*)

MR. ARTHUR ARNOLD said, he wished to move the addition of a Proviso to Clause 7.

MR. WARTON rose to Order, and pointed out that the Bill had not been re-committed.

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 7 (Terminable annuity to be paid to Commissioners of Woods in respect of lands described in the Second Schedule on resumption of land revenues by the Crown).

MR. ARTHUR ARNOLD said, he wished to move this Proviso—"Provided that no consideration shall be payable for the land forming part of St. James's Park." He had no objection to the site, which was unanimously approved of by the Select Committee of which he had been a Member; but a small portion of the site formed part of St. James's Park, and by the 10 *Geo.* IV. c. 50, that, amongst other Royal Parks, was, by law, expressly excluded from being saleable. Some of the Crown lands were saleable, but the parks were not. He had no objection to part of St. James's Park being taken for the building of a War Office and an Admiralty, but he considered it a great wrong that the public should have to pay for it. The proposal was that the portion of the Park which it was intended to take should be valued at its present value, and that, on the demise of the Crown, the amount of the value should be paid over to the Department of Woods and Forests. This was a transaction which was at variance with the law, which provided that the Royal Parks were not saleable. He trusted the Government would agree to his proposal, otherwise it would be necessary for him to divide the Committee. The Government proposed to throw new land into the Park in consideration of that they took away; but he was quite certain that whatever addition was made in this way by the Board of Woods and Forests would be for their own advantage, and not for that of the public. The Woods and Forests Department would remain owners of all the land in the neighbourhood, the value of which would be greatly increased by these extensive new buildings.

Amendment proposed,

After Clause 7, to add, "Provided that no consideration shall be payable for the land forming part of St. James's Park." — (*Mr. Arthur Arnold.*)

Question proposed, "That those words be there added."

MR. SHAW LEFEVRE said, he was afraid he could not accept the Amendment of his hon. Friend. The hon. Gentleman had accurately stated the facts—it was proposed to take a small portion of St. James's Park; but, on the other hand, it was proposed to throw into it a new area, and the Park would be the gainer by the operation. It was true they could not sell the Royal Parks—but it was only as Royal Parks that the land could not be sold. When it was sold it reverted back to the Crown, and they would not, therefore, be justified in taking a part of the property of the Crown without paying for it. The Government had simply followed the precedent set when the Foreign Office was built. In that case a small portion of St. James's Park was taken and paid for in this manner. If his hon. Friend was successful with his Amendment it would be fatal to the Bill, because it would be his (Mr. Shaw Lefevre's) duty then, as a servant of the Crown, to withdraw Her Majesty's consent to the Bill, and the measure would not be further proceeded with. He should be obliged to take that course; therefore, if the hon. Member wished the Bill to be proceeded with and passed into law, he should not press his Amendment.

MR. DILLWYN protested against the right hon. Gentleman the First Commissioner of Works putting a pistol to their heads—if he might use the expression—in this matter. Unless the Committee agreed to give up a certain portion of what was practically public property, the Board of Works threatened them with the loss of the Bill. The country paid £35,000 a-year for the Parks; they were public Parks to all intents and purposes. It was said that they were "Crown property," but though they might be so theoretically, they were not so practically. He (Mr. Dillwyn) had never known a more arbitrary mode of dealing with a Committee than this now proposed, and he hoped that the hon. Member (Mr. Arnold) would go to a division in order that they might, at least, enter a protest against the course the Government were taking in this matter.

Question put, and *negatived.*

Clause *agreed to.*

Clause 16 *agreed to.*

Bill *reported;* as amended, *considered* (Queen's *Consent* signified).

Mr. SHAW LEFEVRE said, he had now to move that the Bill be read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Shaw Lefevre.*)

Mr. WARTON said, he thought some further time should be given for the consideration of the exact plan of these offices. He trusted the Government had taken into consideration on this matter the opinion of that eminent body the Institute of British Architects, which was that the Government were not going to improve the appearance of the Metropolis or provide for the convenience of the Public Offices, and that in order to do both the one and the other £150,000 or £200,000 more than was at present contemplated would have to be spent. According to the plan adopted by the Government, the offices would be cramped together; and, in the opinion of the Institute of Architects, there would not be sufficient space in them to provide proper quarters for the officials. If by spending £150,000 or £200,000 more the appearance of the Metropolis could be greatly improved, that would be something, though he did not say it should weigh too much with the House; but when they were told that in this case beauty and utility would go hand in hand together if this additional amount were expended, it seemed to him that the suggestion was worthy of their most careful consideration. He trusted the right hon. Gentleman would consider this point. If he (Mr. Warton) had known the right hon. Gentleman had been going to press on his Bill so fast, he should have brought forward some proposal in the direction he had indicated.

Mr. SHAW LEFEVRE said, what he had promised was that further opportunity should be given for consideration when it was proposed to erect the buildings. The present Bill was merely to acquire the site, and he thought everybody would admit that the acquisition of the site was desirable and necessary. He hoped the hon. Gentleman would not object to the third reading, for he would have an opportunity of raising the question hereafter.

Motion *agreed to.*

Bill read the third time, and *passed.*

AGRICULTURAL TENANTS' (COMPENSATION) (No. 2) BILL.—[Bill 80.]

(*Sir Thomas Acland, Mr. Evans, Mr. Hussey Vivian, Lord Moreton. Mr. Duckham, Sir John Kennaway, Mr. Story-Maskelyne.*)

COMMITTEE.

Order for Committee read.

Sir THOMAS ACLAND moved that the Bill be referred to a Select Committee, and that, for this purpose, the present Order be discharged.

Motion made, and Question proposed, "That the Order for Committee be discharged, and that the Bill be referred to a Select Committee."—(*Sir Thomas Acland.*)

Mr. PELL said, he understood that this was a blocked measure, and that, under the circumstances, no further progress could now be made.

Mr. SPEAKER: According to the Orders of the House, the Bill stands for Committee. I understand the proposition of the hon. Baronet (Sir Thomas Acland) to be that the Bill be referred to a Select Committee. It is open to him to make that Motion, because it does not advance the Bill a stage. If the House thinks proper to refer the Bill to a Select Committee, it would on the Report of the Select Committee be re-committed.

Motion *agreed to.*

Order *discharged.*

Bill *referred* to a Select Committee.

MOTIONS.

FRIENDLY SOCIETIES (QUINQUENNIAL RETURNS) BILL.

On Motion of Mr. HERBERT GLADSTONE, Bill to amend so much of "The Friendly Societies Act, 1875," as relates to Quinquennial Returns of Sickness and Mortality, *ordered* to be brought in by Mr. HERBERT GLADSTONE and Mr. COURTNEY.

Bill *presented*, and read the first time. [Bill 228.]

BEER DEALERS' RETAIL LICENCES ACT (1880) AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Beer Dealers' Retail Licences Act, 1880."

Resolution *reported:* — Bill *ordered* to be brought in by Mr. RITCHIE, Mr. CHAPLIN, and Colonel KINGSCOTE.

Bill *presented*, and read the first time. [Bill 229.]

House adjourned at a quarter after Three o'clock.

HOUSE OF LORDS,

Friday, 7th July, 1882.

MINUTES.]—PUBLIC BILLS—*First Reading*—Bills of Exchange* (183); Public Offices Site* (184); Prevention of Crime (Ireland)* (186).

Committee — Stolen Goods (156-185); Local Government (Ireland) Provisional Orders (No. 4)* (171).

Committee—Report—Supreme Court of Judicature (Ireland)* (166).

Report—Supreme Court of Judicature Amendment* (179).

Third Reading — Cathedral Statutes* (170); Merchant Shipping (Colonial Inquiries)* (164); County Courts (Ireland)* (168), and *passed*.

THE IRISH LAND COMMISSION—THE SUB-COMMISSIONERS—JUDICIAL RENTS.

MOTION FOR A RETURN.

VISCOUNT LIFFORD, in rising to move for a Return stating, (1.) The names of the Irish Land Sub-Commissioners, arranged according to the several districts; with the profession or employment of each Sub-Commissioner previous to his appointment as Sub-Commissioner; and (2.) The number of cases in each district in Ireland in which rents have been judicially fixed lower than the Government valuation; giving in each such case the valuation (1) with, and (2) without buildings, and the judicial rent fixed; said, he wished to draw their Lordships' attention to two points in connection with the Land Question in Ireland, which it would be well for them to bear in mind. First, the vast powers which were wielded by the Sub-Commissioners under the Land Act—powers such as had never before been granted by Parliament; and, secondly, the great importance of these powers being wielded by fit and proper persons. They all knew something of Griffith's valuation. That was made by a most painstaking gentleman, who stated that in the course of it he visited every townland in Ireland, and that he stated his valuation was from 25 to 30 per cent below what might be expected as a proper rental for the land in Ireland; yet, in many cases, rents had been reduced to that amount, and occasionally to less. Those reductions had been made by the Land Commission, notwithstanding that there was evidence that land in Ireland was let at a lower rent than any in Europe. In proof of that statement, Professor Baldwin, in his evidence before the Land Commissioners, had expressed the belief that the land in Belgium was rented at twice the amount that it was rented at in Ireland; and as the only method of relieving present distress in the country was by lowering the rent of the land, it would be seen that a very difficult task was given to the Sub-Commissioners. On the one hand, they had to fix a fair rent; and, on the other, they had to obey the behest of the Prime Minister to pacify Ireland, which could only be done by a reduction of rents. Yet the right hon. Gentleman, in bringing in his last Irish Land Act, distinctly stated that it would not appreciably lessen the value of the land. Bearing these things in mind, he (Viscount Lifford) wished to call attention to the carrying out of the Act. In his opinion, it had been detrimental to the peace and welfare of the country. The "Ship Money" of Charles I.

was a flea-bite in comparison with the invasion of the rights of property by the Sub-Commissioners. The Returns made to that House were far from being accurate. Returns showing what tremendous reductions in rent had been made were, it was true, before the House. He held in his hand other Returns, but he would not trouble their Lordships with them. The process going on was one of the greatest tyrannies ever heard of, and it had completely ruined some small proprietors—in fact, two instances had come under his notice of persons with whom he was well acquainted who had lost their all. Large proprietors could do well enough, as they had investments elsewhere; but numerous small proprietors of land, to whom it mattered most, had lost a large portion of their income, amounting in the aggregate to one-fourth; and he himself knew of many cases where extreme hardships had been caused by the action of the Sub-Commissioners in reducing rents. Not only that, but nearly half-a-century ago, when the Irish landlords undertook to pay the tithe rent-charge, it was thought right to allow them 25 per cent as compensation; but now, when land was much more valuable than it was then, the 25 per cent was taken away from them, although in many instances the rents had never been raised since that date. It was true that the decisions of the Sub-Commissioners were subject to review by the Commissioners; but extreme reluctance had been shown by the Commissioners to disturb the decrees of their subordinates. Very great powers were reposed in the Sub-Commissioners, and it was of the greatest importance that they should all be fit and proper persons for the office. He was unwilling to attack either the Commissioners or the Sub-Commissioners, for a more patient, hard-working class of men than some of them were he never met; but there were some cases in which they had been appointed in a most extraordinary manner. He would mention one case where a man who had kept a public-house was nominated as a Commissioner, his father and grandfather having also kept a public-house. Another owned a mill and kept a shop in Londonderry, and there was reason to believe that while he was sitting in Court his foreman was soliciting orders in the same town. Another Sub-Commissioner, before his appointment, gave evidence on oath in Court on more than one occasion as to what were fair rents, and the Court fixed the rents at amounts ranging from 25 to 33 per cent higher than his valuation. He (Viscount Lifford) thought it was not right to appoint Professor Baldwin a Sub-Commissioner after the evidence which, according to the noble Duke (the Duke of Argyll), he had given about Lord Conyngham's property, and more especially after he had expressed his sentiments on the matter of rent in Ireland as he had done. He knew that some rents were too high; but some most extraordinary adjudications had been made, and the alarmingly great reductions in the rents which some of the Sub-Commissioners had made had certainly much surprised him. On Lord Gosford's estate, out of 28 cases, the rentals in which amounted to £750, they had been reduced by £154; and in 18 cases out of 146 the rent was reduced below Griffith's valuation, which was, as he had said, admittedly low. Now, so far from this estate being high let, it was always considered a model estate. He did not say that no rents should be reduced, but he did say that there were not in Ireland many rents that were too high. This Act had not pacified Ireland, but given away money, on the plea of purchasing peace, which could only be compared to that given by the Romans to the Goths. He maintained that the action of the Land Commissioners was about the greatest piece of tyranny which could possibly be inflicted on the landlords of Ireland, many of the smaller of whom were being ruined. He wished to know whether anything could be done to stop this, as matters were getting really serious? Now, had the course pursued by the Government won the affection of the Irish people—had it gained their gratitude? No; certainly not. The country still remained in a hopeless state of depression. The railway system of Ireland had come into existence since the Government valuation was made, and the prices of produce had tripled, and in some cases even quadrupled. He remembered the time when a pair of chickens might be had in Ireland for 4*d.*, and yet rents were sometimes reduced below those of the last century. All these things were sops in the pan, and all tended to one great object—that to which the efforts of the Home Rule and Land League Parties were directed—namely, the destruction of what he might call the English garrison, of men who had a far greater descent as Irishmen than those who posed as Irishmen in a room not far off. The great desire of those men was to bring about a separation from England, whereas the men whom he (Viscount Lifford) had first mentioned loved it as much as any man could do. In conclusion, he would make the Motion of which he had given Notice, omitting the first part.

Moved, "That there be laid before this House, Return stating the number of cases in each district in which rents have been judicially fixed by the Irish Land Sub-Commissioners lower than the Government valuation; giving in each such case the valuation (1) with, and (2) without buildings, and the judicial rent fixed."—(*The Viscount Lifford.*)

LORD CARLINGFORD (LORD PRIVY SEAL): My Lords, I am very unwilling to complain of my noble Friend (Viscount Lifford), or to appear in any way discourteous to him; but I am bound to point out the extreme inconvenience of the course which he has taken in the observations which he has just made. My noble Friend simply gave Notice that he would move for certain Returns; and though I talked over the matter with him at considerable length, I never gathered from him, either in public or private, that he had any intention of going beyond the terms of his Notice into the whole subject of the Land Commission Courts. I do not complain of anything which my noble Friend has said with regard to Her Majesty's Government, though, even on that subject, it would have been more convenient for all of us that the Notice should have said something as to the subjects which were to be brought before the House. But your Lordships will see that the main topic of my noble Friend's observations is one that absolutely and imperatively requires that I or anyone else who is to answer it should know the course that was about to be taken by my noble Friend. The whole of my noble Friend's speech, or nearly the whole, consisted of charges against certain of the Sub-Commissioners in Ireland. The charges do not appear to be very formidable; but it is impossible, under the circumstances of the case, for anyone replying for the Government to answer such charges off-hand, or even to comment upon them. I hope that I shall never fail to take all the pains I can to obtain and furnish to your Lordships information upon all Irish subjects. In order that I may do so, however, I must have some conception beforehand as to what information will be asked for. One does not expect that, in moving for Returns of this kind, a noble Lord would make such a speech as that we have just heard. On the contrary, it seems natural to expect that the noble Lord would obtain his Returns first, and then make use of them in a speech. Some of the names my noble Friend mentioned are entirely unknown to me; but if I had known what my noble Friend was going to do, I should have been able to obtain information about them, and could have done justice to the subject. Under the present circumstances, it is impossible for me to enter into any one of them. With regard, however, to one of the Sub-Commissioners — namely, Professor Baldwin, I will make one remark. Professor Baldwin is well known to me, and I think that no one who does know that gentleman, his career and qualifications, can suppose for a moment that the Irish Government were not justified in appointing him as one of the Sub-Commissioners. But my noble Friend says that the noble Duke (the Duke of Argyll), in a speech delivered during the present Session, proved that Professor Baldwin had committed so great an error in some evidence given by him before the Royal Commission on Agriculture that the Government ought never to have thought of appointing that gentleman. But what are the facts? I have only to remind my noble Friend that Professor Baldwin was appointed last autumn, and that the speech of the Duke of Argyll was made this Session.

VISCOUNT LIFFORD: No; last Session. The noble Duke (the Duke of Argyll) spoke at some length in condemnation of the course pursued by the Sub-Commissioners.

LORD CARLINGFORD (LORD PRIVY SEAL): I understood my noble Friend to say that the speech was made during the present Session. With respect to the Returns moved for by my noble Friend, I understood him to say he would not move for the first part; while, with regard to the second, he will find what he wants in the Statutory Returns of the Land Commission, which are from time to time laid before the House. The Commissioners, however, cannot, in giving the number of cases in each district in which rents have been judicially fixed lower than the Government valuation, state in each case the valuation with and without buildings. They have informed me there are no means of obtaining the information.

VISCOUNT LIFFORD said, he would like the House to have the Returns of the actual reductions of rent below Griffith's valuation. That portion of the Return was the most important of all.

THE MARQUESS OF SALISBURY: My Lords, I think the noble Lord opposite (the Lord Privy Seal) has carried the doctrine of "due Notice" even further than it has been carried hitherto. We shall soon be in this position—that noble Lords on the Treasury Bench will decline to answer any speeches of which an abstract has not been presented to them beforehand. I think that some, at any rate, of the facts mentioned by my noble Friend behind me (Viscount Lifford) are pretty well known, and, as matters of public property, might naturally have been expected to have been present to the memory and within the knowledge of the Lord Privy Seal; but he is evidently so entirely occupied by the duties of his new Office that he has effaced from his mind some of the most important and most notorious of the matters that were pressed upon us last year. For instance, he says that a speech containing the very stringent and pungent criticisms passed by a very eloquent Member of this House (the Duke of Argyll) upon many of those who gave evidence before the Bessborough Commission, and among others upon Professor Baldwin, was delivered during the present Session. As a matter of fact, however, that speech was delivered last year; and not only so, but it was delivered two or three months before the appointment of the Sub-Commissioners, and I think that many people fancied that it was, as a kind of indemnification for the attacks that he had undergone, that Professor Baldwin was placed among the Sub-Commissioners. I heard with great surprise from the noble Lord opposite (the Lord Privy Seal) that most of the names mentioned by my noble Friend were utterly unknown to him. Why, two or three of the names mentioned are the names of men whose deeds have been prominently before the English world for the last six months. I admit that it may be inconvenient—no doubt it is so—to the Government that questions of this kind should be raised without Notice, and that they should be pressed to consider the consequences of their legislation; but far greater inconvenience is suffered by their unfortunate victims, who, in consequence of that legislation and the appointments made in accordance with it, are losing one-third or one-fourth of their income. The noble Lord is not cognizant of the cases referred to by my noble Friend. Is he not aware of the case of Mr. John George M'Carthy? Has it never reached his ears that Mr. M'Carthy, one of the fiercest of the Sub-Commissioners, was himself a practising solicitor in the district in which he administered the Land Act, and that, being a practising solicitor, he had among his clients the president of the local Land League; and is he not aware that the subject has been made a matter of remonstrance on the part of the unfortunate landlords of the district? Then, is he not aware that Messrs. Morrison and Weir, two of the Sub-Commissioners, were prominent among the supporters of Mr. Porter, the Solicitor General for Ireland, who went to his constituents on the platform of a grand reduction of rent by the Sub-Commissioners? These men were among his prominent supporters; they canvassed for him on that ground, and immediately afterwards were appointed Sub-Commissioners. Is he not aware of the case of Mr. Meek, of the North of Ireland, who is one of the most violent persecutors of the landlords, and who, before his appointment to the Commission, had expressed a very strong opinion in the same direction as that followed by the two gentlemen whom I have named? Is he not aware of these things? I have heard of hardly anything else.

LORD CARLINGFORD (LORD PRIVY SEAL): The noble Marquess forgets I am not a Member of the Committee of this House on the Land Law (Ireland) Act.

THE MARQUESS OF SALISBURY: No; but the noble Lord is a Member of the Cabinet, and I should have thought that the Cabinet would sometimes consider the results of the legislation they had introduced, and the results of the outrageous and unparalleled appointments they have made. But I rose, not so much to support the Motion before the House as to notice the observations which were made yesterday in "another place" by no less a person than the Chancellor of the Duchy of Lancaster (Mr. John Bright). He made an observation with respect to this House which appears to me wholly unjustifiable. In the place where he was speaking, the Land Act of last year and its operation had been severely criticized by Gentlemen sitting on the Opposition side of the House, and he answered that Conservatives had no right to criticize that Act adversely, because the House of Lords, where they (the Conservatives) were strong, had passed the Bill. Now, I wish to repudiate at once the inference which Mr. Bright desires to draw from the fact that we passed the Land Act. Did we not pass that Act on the faith of certain assurances? We were taunted, it was true, by the noble and learned Lord who sits on the Woolsack, on our readiness to believe the assurances of the Government; but we did believe them, however contemptible you may think us, however feeble our intellects may now appear in the eyes of noble Lords opposite. I know that the assurances by those Ministers who made them were made in honest conviction; but not the less—emphatically as I wish to state that reservation—not the less was that Bill obtained from this House upon false pretences, at all events, in the form in which it was passed. This House was told that there would be no substantial reduction of rents; and I will venture to say, in answer to Mr. Bright, that if this House could have foreseen the kind of appointments that would be made to the post of Sub-Commissioners, if this House could have known that the result of those appointments would be an average reduction of one-fourth or one-third in rents that had existed for 20 or 30 years and, in some cases, for a century—if this House could have foreseen that the landlords of Ireland would be plundered in that manner by the operations of packed tribunals, I am quite sure that the Land Bill would never have passed the House of Lords.

EARL GRANVILLE: My Lords, your Lordships must have been surprised, for I think it is very unusual upon a Motion for a Return to have such speeches as that of the noble Marquess opposite (the Marquess of Salisbury). The appointments of the Government have been characterized without scruple by the noble Marquess as "outrageous and unparalleled," or by some such epithets, which the noble Marquess has employed to enforce his rhetoric. I will not use more forcible words; but I understood him to charge us with having obtained the passing of the Act by "false pretences," because Her Majesty's Government had stated that which was not true, in the belief that something else would take place which has not taken place.

THE MARQUESS OF SALISBURY: I was very careful to say I admitted that the statements were made in the belief of those who made them that they were true; but, nevertheless, they were misleading.

EARL GRANVILLE: Then, how can the Act have been passed under false pretences, if the statements we made were what we believed to be true? It is absolutely incompatible with the ordinary meaning of the language we use. How can the noble Marquess mean that the Bill was obtained by false pretences, when the language I or other Members of the Government used was true to the best of our belief? It is perfectly absurd to make such an accusation. But what I really wish to point out is that the noble Marquess who uses all this violent language is not, as I believe, an Irish landlord who has such a large amount of income on the decision of the Sub-Commissioners as some of those Peers present, who speak with much greater moderation. And I would appeal to your Lordships whether it would not be better, when you, who are so deeply interested, as the noble Marquess says, have charges of this sort to make against absent persons, that you should give ample Notice, and specify them, so as to enable those absent persons to give such information as may be necessary to the Government, who cannot be supposed to know of their own knowledge everything that passed in all the Courts of Ireland? Such charges are always difficult to meet, and I cannot conceive why Irish landlords should not even strain a point to admit of such information being obtained, instead of making charges without Notice, when the persons accused are not Members of your Lordships' House. I think it is in the interests of Irish landlords, as well as of all concerned, that that course should be taken, so that no charges should be made which are absolutely without foundation.

Earl CAIRNS: My Lords, my noble Friend (the Marquess of Salisbury) has used an expression which none but the noble Earl opposite (Earl Granville), I think, could have misunderstood. My noble Friend referred to the assurances given to this House when the Land Act of last year was under our consideration, and when the opinion was broadly expressed by my noble and learned Friend on the Woolsack as to what would be the effect of the measure in regard to the reduction of rents in Ireland. My noble Friend also referred to the statements of the Lord Privy Seal on the same subject, and to that made by the right hon. Gentleman the Chancellor of the Duchy of Lancaster in "another place," who said that he was firmly convinced that the rents of Ireland would go on after the Bill was passed just as they were before; but there might be certain exceptional cases in which the operation of the Act would prevent the raising of rents unjustly, and that would give security to the people. Referring to those statements, my noble Friend said he was convinced —I am quite convinced—that everything these Gentlemen said they firmly and conscientiously believed to be true; but my noble Friend added that not the less the Act of last year was obtained, as I venture to say it was obtained—I do not wish to say so offensively, and therefore I will not use the word "pretences" if you dislike it—but upon assurances which were believed by those who used them to be true, whilst in point of fact they were untrue. The noble Earl says—"If you have charges to make, why do not you give Notice, and specify them, in order that there may be an opportunity of meeting them?" But, my Lords, there are cases of such magnitude and notoriety that the giving of Notice would be ridiculous, when Notice is given from morning to night, and by every newspaper, and when the matter is in everybody's mouth who knows anything of the facts. Notice! Why, take the Blue Books which are laid upon the Table; take the cases by the thousand which are decided by the Land Judges; take the reductions which are made; and talk about giving Notice of calling attention to each case specifically! Why, there are no cases but of one kind. Reductions are made broadcast; and I venture to say upon no principle that can be accounted for in any way but this—"Take your bill and sit down quickly; if you pay a rent of £100 a-year, take your bill and write £70 or £75." It is an old principle we know perfectly well. You might as well have put a clause in the Bill of last year, saying that the rents in Ireland must be reduced at the rate of from 20 to 30 per cent. I venture to say, and I believe your Lordships will admit, that if the Government had last year come to this House and laid upon the Table the list of these appointments to be made under the Act, and given, as a specimen, any indication of what would be done in any one county in Ireland, the Act would no more have passed in this House—or, perhaps, in the other House—than this House would have passed an Act for its own abolition.

The LORD CHANCELLOR: My Lords, the speech of the noble and learned Earl who has just sat down (Earl Cairns), though purporting to give credit for sincerity to certain Members of this and the other House of Parliament as regards statements made by them respecting the Land Bill of last year, in fact imputes to them that they have acted in such a manner as to falsify what he represents to be their own assurances—namely, that the Act of last year would not tend to reduce rents very largely by its operation. With regard to those assurances, I am glad my noble and learned Friend referred to myself as having given them, for I take advantage of the opportunity to positively deny having given anything in the nature of an assurance as to a matter of which it was impossible for me to have any knowledge. What I did, and what others did, was to express our belief that the Irish landlords generally—the mass of the Irish landlords—had not been overrenting their land, and, therefore, that great reductions would not generally be made. We did not expect that a Court of Arbitration to settle rents would have to make reductions so general or so large as to show that the lands, throughout Ireland, had generally been overrented. But, as to taking upon ourselves to give assurances on a matter as to which everybody in this and the other House of Parliament must have known as much as ourselves, and as to which we should have no better grounds of forming an opinion than Gentlemen from Ireland or noble Lords on the Opposition Benches, that is a most extravagant misconception—I prefer using that term to any other—of what was said. No one could, from the nature of the case, possibly give such assurances, and no assurances were given. But what was then said was, that there was no belief entertained by the Government that the landlords of Ireland generally were letting their lands on terms which would involve a very large and general reduction. Your Lordships knew as well as we did that the machinery set on foot by the Act was a Court of Arbitration, and that inquiry would be made in every case brought before the Commissioners as to whether the rent was a fair rent or not. And I protest altogether against the assumption that this House or the other House of Parliament legislated upon the supposition that facts were known which could not possibly have been known—it could not have been known what, in the opinion of the Commissioners, would be fair rents to be put upon particular tenements. I do not know what the ultimate result of the operation now going on in Ireland may be; but if it should be to produce a more general reduction of rents than we expected, that is a matter as to which no possible opportunity existed of anyone having a knowledge beforehand, except such as might be derived from those public sources of information which are in the hands of every Member of both Houses of Parliament. I am not sure that I myself ever said that I believed the landlords in Ireland, generally, were not overrenting, though such was, in fact, my belief; but what I did say last year was—and I adhere to it at this moment as fully as I did then—that in the actual state of Ireland, in the actual state of the relations between landlords and tenants, with the enormous and ruinous depreciation of all landed property in Ireland, which was the inevitable consequence of the then existing state of things, and which was sure to go on from bad to worse, if means of settling rents by arbitration were not afforded, I believed sincerely that the measure which was passed last year was as much in the interest of the landlords as of the tenants, and that the value of the landlords' property had a better chance of being maintained, whatever might be the working of the Bill, than it could possibly have if things were allowed to drift without the applition of any remedy. I should still be of the same opinion, even though these reductions of rent should prove, contrary to what I then expected, to be general throughout Ireland. With regard to the appointment of Sub-Commissioners, I do not, of course, know anything whatever of the individual gentlemen appointed; but this I do know, that my right hon. Friend Mr. Forster, upon whose responsibility those appointments were made, is as just, honourable, and upright a man as I have ever known in public or in private life. I must say, also, that I am sure a sincere and honest endeavour was made to appoint competent men, and men upon whom reliance could be placed that they would act justly. As to what has been said with reference to the appointment of gentlemen who supported Mr. Porter, the present Solicitor General for Ireland, in his candidature, and the promises made by Mr. Porter himself, I do not know whether the Conservative candidate in that election said anything about large reductions of rent; but I know that he went, in some respects, farther than Mr. Porter in his promises to the tenants, and that he proposed to largely extend the Land Act; and if the Government had appointed a supporter of that gentleman, the same objection might have been urged as that brought forward by the noble Viscount (Viscount Lifford). Again, what was complained of this evening by my noble Friend the Lord Privy Seal (Lord Carlingford) is, not that Notice was not given as to matters upon which the Government ought to be prepared to answer, but that charges should be brought against persons holding public offices, whose fitness for their positions was called in question, without notice either of the names of the persons, or of the grounds upon which their fitness was challenged; the Government being thus unable to communicate with those gentlemen, and obtain information on the points upon which answers might be required. To ask for Notice in such a case is common sense as well as common justice, because if A or B be singled out for attack as to his fitness, it is only fair that he should have an opportunity of stating what he has to say in answer to the charge. I think it is undesirable and greatly to be regretted that the progress of last year's measure should be disturbed by recriminatory accusations of this kind. Fair and reasonable criticisms upon the operation of Acts of Parliament, whether they have fulfilled or disappointed the expectations formed of them, are, at the proper time, undoubtedly proper; but angry discussions of this kind, and imputations which, if they mean anything, mean bad faith, at one time or other, either on the part of the Government in making appointments, or on the part of the gentlemen whom they have appointed, can do no good to anyone, and may do great harm in exacerbating the feelings of classes at a time when it is of the greatest importance that we should all co-operate for the pacification of Ireland. And this is especially true when your Lordships will soon be called upon to give your consideration to those measures which the Government have thought it their duty to submit to Parliament. If, after experience of the Land Act, there should be, in its ultimate results, ground for appeals to Parliament when the materials are sufficient and the time has come, no one would complain less than I should; but such discussions as this, arising in such a manner, seem to me, as I have more than once said before, to be against the interests of everybody in Ireland, and not least against the interests of the landlords themselves.

EARL CAIRNS: My Lords, I should be very sorry, even unintentionally, from memory, to misrepresent what had fallen from Members of the Government last year; and I have, therefore, got before me the passages to which I referred just now, and, with the permission of the House, will read them, in order that your Lordships may see whether I have overstated the facts. This is what Mr. Bright said—

"My view of the operation of this particular clause (the Fair Rent Clause) is that, in reality, rents in Ireland will, for the most part, in nine cases out of ten, be fixed very much as they are now."—[3 *Hansard*, cclxi. 103.]

The Lord Chancellor

This is what my noble and learned Friend opposite (the Lord Chancellor) said—

"If you compare the state of things under this Bill with that which would exist if nothing of the kind were done, the Bill may be expected to restore and increase, not to diminish, the value of the landlord's property."—[3 *Hansard*, cclxiv. 534.]

THE LORD CHANCELLOR: That is just what I now said, and I repeat it.

EARL CAIRNS: Then, the noble Lord the Lord Privy Seal (Lord Carlingford) said—

"I maintain that the provisions of this Bill will cause the landlords no money loss whatever; I believe that it will inflict upon them no loss of income, except in those cases in which a certain number of landlords may have imposed on their tenants excessive and inequitable rents, which they are probably vainly trying to recover."—[*Ibid.*, 252.]

LORD CARLINGFORD (LORD PRIVY SEAL) said, he wished to say one word of explanation as to the supposed assurances given by his noble and learned Friend on the Woolsack, by himself (Lord Carlingford), and by others, and to observe that he was content to abide by the quotation that had just been read from his speech of last year. He gave no assurance, and certainly not the assurance that had been suggested. It would have been both ridiculous and impossible for him to assure the House that the tribunals to be set up by Parliament would not reduce rents which they did not regard as fair; and he had only stated his belief that the class of landlords represented by noble Lords in that House, though they might lose some of their power, would suffer no loss of revenue. That, he might say, was still his conviction. When the Land Courts found rents that were not fair, they would reduce them; but where they found them fair, they would not be reduced; and he believed he had been very near the truth in expressing the opinion that the better class of landlords would lose no more than part of their power. In fact, the reductions which had been made on the rents of the landlords of Ireland represented by noble Lords in that House had been of a very trifling kind.

VISCOUNT CRANBROOK said, that if they had not had the assurance before, they had it now, that the noble Lord the Lord Privy Seal did not believe that rents would be reduced notwithstanding all that had taken place.

LORD CARLINGFORD (LORD PRIVY SEAL): Not of that class of landlords in Ireland who were represented by their Lordships in that House.

VISCOUNT CRANBROOK said, it now seemed, from what the noble and learned Lord on the Woolsack had told them, that these assurances of last year were not assurances given to the House at all. Very well; let them drop the word. But, at any rate, it was giving their opinions, founded upon facts which were before the Government, and, as the noble and learned Lord had told them, before the country also. He had told the House that upon these facts, as ascertained by independent men and classified in Blue Books, the Government had arrived at the conclusion that, in nine cases out of ten, rents in Ireland were rather below than above the average and the fair rent; and the Government, on the strength of ascertained facts and Blue Books, were so convinced of that truth, that they stated it in positive language in one House by the noble Lord the Lord Privy Seal and the noble and learned Lord on the Woolsack, and in the other by the Chancellor of the Duchy of Lancaster. But what had happened since then? Had the persons who had been appointed as Sub-Commissioners not run counter to all that the Government imagined would happen? What did the fair working of the Act depend upon? It depended, not on the assurances of the Government, but on the appointment of impartial persons, like those who had made the inquiries heretofore, to which he had referred. The noble and learned Lord had spoken of what was passing under the Act as arbitration; but what could be said for arbitrators in the shape of three Commissioners and the Sub-Commissioners, all, or nearly all, of whom were what were called tenants' men, some of them men having absolutely given their opinions very strongly in favour of lowering of rents before their appointment, the landlords having no voice in the selection of any of these so-called arbitrators? The noble and learned Lord had recommended the House to wait until the work of the Courts had advanced much farther—to wait till the ruin of the landlords had been consummated—and then, if they needed it, to allow them to come to Parliament for compensation; only they well knew what answer they would get. It was only reasonable, under the circumstances, that his noble Friend the Marquess of Salisbury should have taken notice of what had been said in "another place" as to the manner in which their Lordships' House shared in the responsibility for the Bill of last year. That House, however, could not be truly said to be responsible for the Bill, as it virtually had no choice in the matter and no freedom of deciding on the right or wrong of the case. If people dragged them into the centre of a morass, there was no way out of it except by a dirty path; and the House of Lords, in the case of the Land Bills of 1870 and 1881, did no more than choose the lesser evil in extricating the country as best it could from the slough into which the Government had dragged it. It might be more dangerous not to do the lesser injustice than to bring on a great political catastrophe, which those who had brought in the Bill ought to have foreseen. The House had been told, and no doubt it was the case, that the mere bringing in of the Bill by a strong Government had created such expectations among the tenants of Ireland that it could not be dealt with merely as a question of right and wrong in itself. That was the way in which the Bill had been presented to the House. Parliament was now face to face with one of the most portentous calamities ever inflicted on a country, for those who had been loyal and faithful and true to the English connection were, by having thrown upon them the whole weight of Parliamentary and legislative interference, being crushed to the very earth; and the Government told them, for their consolation, when they were quite ruined, to come to Parliament and beg.

VISCOUNT POWERSCOURT said, he rose for the purpose of deprecating the continuance of such a discussion as was then taking place on that subject, fearing it might have a bad effect on the melancholy condition of things then existing in Ireland. With that in view, noble Lords ought to be very careful as to what they might say. They should think twice before they uttered sentiments which could only tend to aggravate the evils under which they were suffering.

THE DUKE OF ABERCORN said, that rents had been reduced — not because they were too high, or that the Commissioners were not impartial, but because the Commissioners, as such, were bound to reduce the rents, whether they were high or not. He, for one, quite believed the assurances of the Government at the time they were made, that there would be no reduction of rents; and he only wished he could place the same reliance on those which the noble Lord (Lord Carlingford), speaking for the Government, had made that night.

The Earl of KIMBERLEY said, he had not the slightest wish to enter into the discussion that was then taking place; but he rose for the purpose of pointing out that it had wandered away somewhat from the Notice on the Paper. He wished to call their Lordships' attention to the fact that the noble Viscount (Viscount Lifford) had omitted to move the first part of the Motion that stood upon the Paper in his name, in which he had proposed to call for the names of the Sub-Commissioners, with their professions previous to their appointment. That was a very natural Motion to make, in order that afterwards the attention of the House might be called to the nature of those appointments, and the qualifications of those gentlemen; for it was quite right that if any complaints were made of the conduct of the Commissioners or Sub-Commissioners, the attention of the Government should be called to them; but he objected to the use of intemperate language, such as that used by the noble Marquess opposite (the Marquess of Salisbury), and he demurred to the statement that every Member of the Government must be acquainted with the character and predilections of the Sub-Commissioners. Of course it was quite impossible for anybody without Notice to be able to defend all those appointments, and to go into the circumstances which had been referred to. Everyone knew it was contrary to ordinary Parliamentary practice to act in such a manner as the noble Viscount had done. He supposed it merely arose from this—that noble Lords opposite thought it was a very convenient opportunity to get up a wrangle on a subject upon which they knew the Government could not give a satisfactory answer at the moment, and they probably thought it would be of some advantage to them in the House and to the country. But he protested against this subject being discussed without fair Notice. If they were to discuss those matters, let them do so fairly and with some amount of information before the House, for Irish affairs were the most uncertain and unsatisfactory with which the Government had to deal. In that case they would do so with better temper and with better results. He himself was in the position of never having given any assurances whatever; but as regarded the assurances of his noble Friends, he should be inclined to take the same view, and to express the belief that, upon the whole, the Irish landlords had not overrented their estates, and that those who had treated their tenants fairly would not suffer any money loss, because their property would be much more secure. ["Oh, oh!"] The noble Lord opposite might say "Oh!" but his (the Earl of Kimberley's) opinion was that very large reductions of rent would have to be made by landlords in this country as well as in Ireland. If it should turn out, upon full examination, that rents had been generally reduced in Ireland, he very much doubted whether, in one point of view, there would be any money lost, because there would be so much more security.

The Earl of DUNRAVEN said, that, in his opinion, it was a most unfortunate proceeding to raise a discussion on so important a subject on a Motion which the noble Viscount (Viscount Lifford) had not led anyone to suppose that he intended to discuss the whole question of the Land Act and the appointment of the Commissioners. He (the Earl of Dunraven) regretted that the matter had been discussed at such length at the present stage; because he was not ashamed to confess that he, for one, felt unequal to discuss a question of so much importance. He would ask what class of landlords it was that the noble Lord (the Lord Privy Seal) thought was represented by the Irish landlords who sat in that House; because he had stated that the Irish landlords in that House were those whose rents would not be reduced? But that was not the fact, and he feared none of them were in that House, because any noble Lords who had been before the Court had had their rents reduced. There could be no doubt that the Prime Minister, Mr. Bright, and other Members of the Cabinet had given it as their opinion that the result of the

Land Act would not be a general reduction of rents; and that opinion was based not only upon their knowledge as Ministers, but also upon the evidence given before the Royal Commissioners. He had no hesitation in saying that if this House or the other House had had the slightest idea that the result of the Land Act would be to reduce rents by one-third or one-fourth, the Act would not have been passed without the insertion of some provision for compensation. The Act was passed by both Houses, because they believed in the opinions of Members of the Cabinet on the subject. Her Majesty's Government must bear in mind that the position of the Irish landlords was this—either the opinions of Her Majesty's Ministers were entirely wrong, or the rents in Ireland were a very great deal too high. Under these circumstances, Her Majesty's Government could not be surprised if the Irish landlords were very desirous of showing what they believed to be the case, that Her Majesty's Government were perfectly correct in their first ideas, and that the mistake had been made on the part of the gentlemen to whom had been intrusted the working of the Land Act. That, however, was a matter which would be more advantageously discussed on Notice, when the whole question of the result of the Land Act could be brought up, and he hoped Her Majesty's Government would give them an early opportunity of entering into it. There was one point in the speech of his noble Friend (Viscount Lifford) who made the Motion, which had been frequently repeated, that rents which had not been raised for a considerable number of years must necessarily be fair rents. That he believed to be entirely true in dairy farms, and land of that character; but he believed it would be untrue in many cases. He did not wish to defend the action of the Land Courts, nor to say that rents had been unduly reduced; but, at the same time, he did not think truth would be made stronger by the statement that because rents had not been reduced for 50 or 60 years they must be fair rents.

VISCOUNT MONCK said, that there were about 600,000 tenants in Ireland, and the number of applications which had been made for reduction of rents amounted to between 70,000 and 80,000. In regard to these, the decisions come to were about 10,000—that was, about 12 per cent. Now, to say from that that rents generally would be reduced was most fallacious reasoning. If there were no rents which ought to be reduced, the passing of the Land Act of 1881 was a great mistake; but assuming that there was a reason for passing the Act, it must be supposed that the tenants who went first to the Courts were those who felt that their rents were too high.

THE MARQUESS OF WATERFORD said, he wished to make one observation upon the speech of his noble Friend (Viscount Monck), who had repeated the remarks which he had made early in the Session; but surely now sufficient time had elapsed to prove the fact that tenants of every class had come into the Courts. He (the Marquess of Waterford) had been acting upon the Committee of their Lordships' House that was now sitting, and was, therefore, able to state that the Committee had constantly cases brought under their notice in which the whole of a property had been brought before the Court; and from the evidence which had come before that Committee, it was proved that every description of rent, whether high or low, had been adjudicated upon. It was absolutely ridiculous for the noble Viscount to say that only those tenants who were rack-rented had come before the Courts. He (the Marquess of Waterford) had been before the Courts, for several cases upon his own estate in which the rents had been reduced; and the noble Lord sitting near him (Lord Leconfield), whose estate had the credit of being an English-managed one, had had some of his rents reduced—indeed, almost everyone had been reduced. With regard to what had been said by the noble Lord the Lord Privy Seal, as to the unlikelihood of the rents of noble Lords being reduced, that was not the way to look at this question. They had stood up in that House, though not very successfully, for the landlords of Ireland, not for any particular class of landlords, and they would continue to do so. The noble and learned Lord on the Woolsack said that he did not know what the effect of the Land Act was upon the landlords of Ireland. He (the Marquess of Waterford) would tell him the effect it had had — that it had utterly ruined and destroyed a large number of the poor landlords of Ireland, and would render them houseless and homeless, and drive them, with their wives and families, into the poorhouse. He knew of the case of a poor landlord who had been a working man, and who, five years since, with his savings, had bought a property which was subject to the payment of a head-rent, and the Sub-Commissioners had so cut down his rent that they had destroyed the whole of his margin, and he had gone out of his mind. Their Lordships should remember the effect of this Act, and in what a condition it had placed Ireland, and the Government should be prepared to get the landlords out of the difficulties in which they had been placed by the operation of the Act. If the noble and learned Lord, who had the credit of being a good and humane man, could visit Ireland, he would be horrified at what he saw, and at the ruin this Act, which he had advocated, had caused. What was the fate of one man would be the fate of hundreds more, unless there was some way found to get the landlords out of their difficulties, and render their properties saleable again; otherwise they would be driven from the face of the earth, and have to beg their bread from door to door.

Viscount MIDLETON said, he could confirm the observations of the noble Marquess who had just sat down (the Marquess of Waterford). As regarded his own case, he was bound to say that his rents had not been raised by himself at all. Four of his tenants had gone before the Sub-Commissioners; by their own admissions in Court, in one case the rent had not been raised since 1847; while, in another, there had been no change since 1807. Since the time those rents were fixed a railroad had been constructed through the town to which the farms were adjacent, and the prices of butter and beef, the staple produce of the place, had enormously increased. Nevertheless, the result had been that the Sub-Commissioners had reduced the rent 20 per cent without giving any reason. Mr. Rearden had subsequently stated that he gave the tenants the full benefit of the Disturbances Clauses, although there had been no disturbances; and that he had given the full benefit of the capitalized value of the improvements, notwithstanding that the rent had never been raised. Taking 4 per cent upon the value at which the Sub-Commissioners assessed the tenant's interest, and deducting that from the existing rent, gave just the figure at which the rent had been fixed. The plan, therefore, was first to compensate the tenant for disturbance, although no one had ever dreamed of disturbing him; and, secondly, to compensate him for the value of his improvements, although he had enjoyed the full benefit of them for 40 years without increase of rent. He ventured to say that a system of that sort had been utterly unknown until the present Act was passed. The noble and learned Lord on the Woolsack had justified the Act as a political necessity. It might be so; but in dealing with it, at least, justice should have been done to all parties under it, whereas, as it was, the principles of justice had been altogether lost sight of. In losing sight of the principles of justice, it was his firm belief that they had departed from those great principles upon which order and good government in Ireland should proceed.

Earl FORTESCUE said, he must ask the House to bear in mind that Parliament had, in passing the Land Act, assented to the names of the Commissioners to be appointed, after mature consideration. It was easy to be wise after the event; but none of their Lordships paid as much attention as they ought to the clause enabling the Treasury to make appointments, and fix the salaries of the Sub-Commissioners. Speaking for himself, he had never expected that duties so important, and involving so much responsibility, would have been intrusted to men who would receive such moderate salaries, and enjoy such an uncertain tenure of office, as the Sub-Commissioners. Without expecting more or less than the usual partizanship in the appointments, it struck him that they had no right to expect that a number of Sub-Commissioners, whose previous position and acquirements would inspire great confidence throughout the country, would accept office on the uncertain tenure and for the moderate salaries fixed by the Treasury under the provisions of the Act. It seemed to him, from the very beginning, that such an arrangement was one of those instances of most unwise and shortsighted parsimony in the remuneration of judicial appointments which would destroy the value of judicial persons in any country, nullifying the authority of their decisions, and entirely depriving them of all confidence and respect on the part of the public, owing to the position they occupied, and the salaries they drew. As regarded the argument as to so small a proportion of persons having availed themselves of the right of appeal, he (Earl Fortescue) might say that the decisions arrived at by the Sub-Commissioners, and which were, as a rule, confirmed to a great extent by the Chief Commissioners, were such that there was practically no appeal; because both landlords and tenants had thence justly concluded that a considerable reduction of rent was the only condition on which any judicial arrangement was likely to be made. When they heard the landlords of Ireland described as having, for a number of years, extorted unduly high rents from their tenants, the abominably wasteful system of agriculture pursued throughout Ireland generally should be taken into account. In this country, a farming agreement provided that hay was not to be sold off the land, without some compensation in the shape of manure being put into it; but it was notorious that in Ireland the practice was to sell everything off the land, and to put very little in the way of fertilizing agents upon it. The result was that the naturally fertile soil of Ireland had been very materially impoverished by that body of tenants, of whose improvements they were always being told, while they heard nothing at all of the great deterioration which their mismanagement and ignorance had inflicted upon the land they occupied. That this was considerable was proved by the official statistics of the crops, which showed that the average yield of potatoes per acre for the 10 years from 1870 to 1880 was 1½ tons less than it was for the 10 years from 1850 to 1860. After hearing the very strong expressions made use of by Her Majesty's Government that evening, he could not avoid the reflection that neither the peace and tranquillity of Ireland, or of South Africa, nor the friendliness of the diplomatic relations of this country, had been increased by the imprudent language held in and out of Parliament by Members of the Government, even as late as the present Session, but more especially before, when they were without the responsibility of Office.

LORD DENMAN called attention to the remarks in *The Pall Mall Gazette*, which stated that he must be "the most forgiving or most modest of men, if he," as was reported, said that debates were "adequately" published. It happened that a nephew of his, also a nephew of Lord Macaulay, had seen this and sent it to him; and having been in the Gallery when he (Lord Denman) spoke as to the side Galleries, said he had heard every word, and never knew his (Lord Denman's) voice to be so strong before. He (Lord Denman) had nothing to forgive, for it was not necessary to put his remarks into any newspaper; and, as to modesty, he believed that he had impudence enough. He had been the only Peer who had voted against the Land Bills of 1870 and 1881, and he wished that his protests were known. He had been in Ireland last October, and no one molested him. He thought that from the multitude of Sub-Commissioners no uniformity of decision could be expected, and he wished that at the end of their year they could be dispensed with, and the Commissioners at the end of two years. He had some land let at 35*s.* an acre and some at 2*s.* 1*d.* an acre, and worth no more. He believed he could judge of the value of land, and thought it very hard that he should be obliged to trust to his memory alone in order to recall what he had said *extempore* for Mr. Hansard. He cultivated two large farms; but through his father's disinterestedness he had not that capital which was needed to do the land full justice. He was, perhaps, the poorest Peer of the Realm, but the most independent, because he never voted merely because he would join a large majority. He hoped to be at the Dublin Exhibition in October, and to see it visited by some of the Royal Family. He would send his photograph, so that they might know who to shoot at, if so disposed.

LORD ORANMORE AND BROWNE said, that Parliament had asked the Sub-Commissioners to do an impossible thing when they asked them to examine into every case in order to fix a fair rent, as there were upwards of 600,000 small tenants in Ireland. In order to carry out such a labour properly it would take 20 or 30 years, and the result had been that the Sub-Commissioners, who had no means of making an accurate valuation, had by some rule of thumb, or by some agreement or arrangement which their Lordships could not understand, arrived at a general reduction of rents. He was sorry to see the manner in which the Sub-Commissioners were carrying out the Act, and he considered that more care ought to have been exercised by the Government in appointing those gentlemen. The Government had stated their belief, when the Act was before Parliament last year, that the measure would not lead to a general reduction of rents; but the result had been to show that Her Majesty's Government had not the slightest foundation for the opinion which they entertained.

VISCOUNT LIFFORD said, he thought he should not be doing justice to one of the most honest and able men of the day (Mr. Forster) if he did not say that he believed he took great pains in the appointment of the Commissioners. The right hon. Gentleman might have been misled. He trusted that the Returns asked for would be granted.

LORD CARLINGFORD (LORD PRIVY SEAL) said, that the Returns asked for were already published.

VISCOUNT LIFFORD said, in that case, as he was perfectly satisfied with the discussion that had taken place, he would not press his Motion.

Motion (by leave of the House) *withdrawn.*

NAVY (FOREIGN STATIONS)—NOMINATIONS TO DEATH VACANCIES.

MOTION FOR RETURNS.

VISCOUNT SIDMOUTH asked the First Lord of the Admiralty, Whether he will consider the expediency of restoring to the commanders-in-chief of naval stations abroad the power formerly accorded to them of nominating officers to fill death vacancies occurring during the periods of their commands, subject to the approval of the Admiralty? The noble Viscount also moved for Returns of the number of deaths of commissioned officers on the different foreign stations each year for the last five years. He said that formerly it had been the practice for the officer in command to supply all the death vacancies which might take place upon a foreign station; but during the last 10 or 12 years it had begun to fall into desuetude, much to the injury of the Service; and he had heard Sir Charles Napier boast that every commission which he and his two brothers received in the way of promotion came directly from the officer in command. Nelson, too, always chose his own men. The privilege had lasted for more than 100 years, and it should be restored. He did not wish to complain of any appointment which the noble Earl opposite (the Earl of Northbrook) had made, because he felt sure that so long as he was at the Admiralty the appointments would be well made.

Moved for, "Returns of the number of deaths of commissioned officers on the different foreign naval stations each year for the last five years."—(*The Viscount Sidmouth.*)

LORD LAMINGTON, in supporting the Motion, said, that, when he saw the Notice on the Paper, he was not aware an Order had been issued taking away from commanders-in-chief of naval stations that privilege, as certainly no one was more capable of filling up death vacancies than the officers in command. It was a petty system to curtail these privileges of the commanders-in-chief, and he could see no reason for it, for he thought it would be most injurious to the Service, as it certainly would be painful to an officer if, after being appointed at a distant station to a vacancy, an order should be received from the Admiralty that he was to be reduced to his former position.

THE EARL OF NORTHBROOK, in reply, said, he had no objection to grant the Returns referred to, if they were moved for. As regarded the Order which had been referred to, he might be allowed to say that his noble Friend (Lord Lamington) had not paid that strict attention which he might have done to the subject when he was in the House of Commons, because it was years ago since the Order was passed by the late Mr. Ward Hunt while First Lord of the Admiralty. He thought there should not be constant changes made merely because Boards of Admiralty changed—there should be some stability; and he was not prepared, without much more reason than had been put forward on that occasion, to make any alteration in the Order passed in 1874, neither was he in a position to tell the noble Lord the reasons for it being made. It was probable, however, that, in consequence of the reductions in the several lists, there were fewer promotions at the disposal of the Admiralty, and it was, therefore, thought desirable that the outside ones should cease.

VISCOUNT SIDMOUTH: Does the Order apply to officers in command of vessels during time of war?

THE EARL OF NORTHBROOK: No; it does not. There is a provision to the effect that special provisions will be made in time of war.

Motion *agreed to.*

Returns *ordered* to be laid before the House.

STOLEN GOODS BILL.—(No. 156.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to order).

Clauses 1 and 2 *agreed to.*

Clause 3 (Special warrant for search for stolen goods).

EARL BEAUCHAMP proposed an Amendment to the clause, for the purpose of limiting the proposed right of the police to carry away from searched premises goods supposed to have been stolen to the removal of goods "reported" as having been stolen. He said that the clause gave very great powers to the police, which, in many cases, could not be executed without causing great trouble and hardship to parties on whose premises goods supposed to have been stolen were found, or, in some instances, to the owners themselves. In the case of pawnbrokers, the transactions returned by 731 pawnbrokers were 200,000,000, and of that large number the proportion of the stolen goods was 1 in 14,000. The clause would affect pawnbrokers very seriously, and, unless the Amendment were accepted, would make it impossible for them to carry on their business, the result being to drive the trade into the hands of less respectable men.

Amendment *moved,*

In page 1, line 24, to leave out ("articles there found which appear to him,") and insert ("such goods as may have been reported to the police.")—(*The Earl Beauchamp.*)

THE LORD CHANCELLOR said, he could not accept the Amendment. The clause, he must say, had not been framed with a special view to pawnbrokers, as it affected the public generally, and not pawnbrokers only. He must guard their Lordships, also, against the fallacy of supposing that the proportion of stolen goods, which actually came into the hands of pawnbrokers, though doubtless generally without knowledge that they were stolen, was to be measured by the number of cases in which they were discovered. It must be considerably greater, as in innumerable cases the stolen property could not be traced. That fact was one of the main reasons for some of the provisions of the present Bill. The noble Earl again had taken an absurd position in contending that the police officer should only take stolen property indicated, and should have no alternative but to leave other property which he would be equally satisfied had been stolen. If the Amendment were accepted, difficulties would arise, which the clause, as it stood, would obviate. Supposing a search were made in the box of a suspected servant, and supposing the plate of the servant's master were found in it, and also silver goods bearing the names of other persons, the police, if the Amendment were agreed to, might be unable to touch the latter, because the articles might not have been reported as having been stolen. Suppose the box of a letter-carrier searched for letters not delivered, in which there were valuable inclosures, and many other letters to different persons, with other valuable inclosures, at the same time found. There was the case of a servant on the Great Western Railway, whose house was searched for certain stolen articles, and goods of another kind were found which from their nature could not have been honestly acquired. Should not the police have power to take these goods? The goods would be taken to the Court, and the police would have to give reasons for having seized them. If improperly taken, they would, on application, be promptly restored. The warrant could only be executed by a superior officer of police, and, unless this power were maintained in the Bill, it would be very much weakened.

THE MARQUESS OF SALISBURY said, it was true that the warrant must be applied for by a superior officer of police; but any officer of police might go on the premises and make the search. That was an interference with the liberty of the subject, and the question was whether they ought to give these powers to the police on the assumption that they would not misuse them. To give an officer a warrant to arrest a person not named in it was found to be an intolerable violation of liberty, and this was a similar proposal with respect to goods. He objected to the comprehensive character of the powers given by the clause, which reminded him of the similarly extensive and reprehensive powers formerly given by general warrants. He thought the advantage to the owner would not be balanced by the grievous wrong done to the holder, and in some instances to the owner. The pawnbroker's business was one of secrecy, and the clause would operate against those persons who, through necessitous circumstances, had to pawn their goods, and who might legitimately desire secrecy in doing so, but who would not do so if they thought the fact of their doing so might become known. Now, the clause would tend to that effect, because if a policeman took away by mistake some goods regarding which he had suspicion, they could only be given up to their real owners, who might be called upon to show how they became possessed of them. Pawnbrokers also would be subjected to harsh treatment, and the trade would fall more and more into the hands of disreputable persons. The state of the House was not favourable to a full consideration of the Bill, and appeals on behalf of personal liberty were generally made in vain to noble Lords opposite. If, in the present condition of the House, this proposal were carried, he hoped it would either be rejected in the other House, or that the state of Public Business there would be such as to prevent the Bill from becoming law.

Lord ABERDARE said, that the same power proposed to be given by the clause, and to which the noble Marquess opposite (the Marquess of Salisbury) objected, was already exercised by the police with great advantage, for some of the largest discoveries of stolen goods had been made by the police acting upon it; but they had done so without legal authority, and, consequently, they were exposed to the risk of an action for illegal possession. With regard to any harshness towards pawnbrokers, it ought to be remembered that the law prevailed in several parts of the country. It prevailed in Scotland, in Dublin, and, he believed, under a private local Act, in Manchester; and no complaint of its operation was made. The power would not be harshly exercised or complained of; and there was, in fact, an understanding between the police and the pawnbrokers as to how it should be used.

Earl BEAUCHAMP thought that the noble Lord (Lord Aberdare) had given sufficient reasons to show that there was no necessity whatever for this power, for he pointed out what extensive powers the police exercised under the present law.

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

Clauses 4 to 7, inclusive, *agreed to.*

Clause 8 (Refiners).

The Marquess of SALISBURY asked why refiners and dealers in scrap metal were subject to peculiar restrictions? On what evidence was this provision thought desirable?

The LORD CHANCELLOR, in reply, said, he thought special regulations necessary in this case, considering the frequency with which stolen plate and other valuables were melted down. The clause did not apply to any class of refiners except those who were, in fact, second-hand dealers, and whose business it was to melt down manufactured articles and old scrap metal. It had been inserted at the request of the Home Office.

Clause *agreed to.*

Clause 9 *agreed to.*

Clause 10 (Duty of pawnbroker or second-hand dealer to answer inquiries by specially authorized constable).

Earl BEAUCHAMP moved, as an Amendment, in page 5, line 35, to omit the words—

> "And if he does not find in his books a description of such article, he shall suffer such constable to examine the entries in his books subsequent to the date at which such article is alleged to have been stolen."

The LORD CHANCELLOR opposed the Amendment.

Amendment *negatived.*

On the Motion of The Earl BEAUCHAMP, Amendment made in line 39, by inserting after the word "who," the word "wilfully."

Clause, as amended, *agreed to.*

Clauses 11 and 12 severally *agreed to.*

Clause 13 (Prohibition of purchases from or by means of children).

EARL BEAUCHAMP moved, as an Amendment, to omit Sub-section 1, which prohibits taking articles in pawn from any person appearing to be under the age of 14. He submitted that, as the Bill was to facilitate the recovery of stolen goods, this sub-section had little or no application.

Amendment *moved,* in page 7, line 10, to leave out sub-section 1.—(*The Earl Beauchamp.*)

THE LORD CHANCELLOR said, that under the Pawnbrokers' Act of 1862 the age was fixed at 12 years. The age of 14 had been substituted on the authority of several eminent pawnbrokers.

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

Clause 14 (Hours of business).

EARL BEAUCHAMP moved an Amendment confining the clause to second-hand dealers. He submitted that no restriction as to time should be imposed upon poor persons from getting articles out of pawn.

Amendment *moved,* in page 7, line 24, leave out ("pawnbroker or.")—(*The Earl Beauchamp.*)

THE LORD CHANCELLOR said, that the general practice of the pawnbrokers was in accordance with the hours fixed by the clause. Moreover, restricting the hours of business restricted the opportunities of receiving stolen goods.

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

Clause 15 (Pawnbrokers' books).

EARL BEAUCHAMP moved to strike out the clause, which required that pawnbrokers' books should contain a record of such distinctive marks as were borne by the articles pawned—on the ground that it would be unworkable.

Moved, "To leave out the Clause."—(*The Earl Beauchamp.*)

THE LORD CHANCELLOR said, the clause was of very great importance, for unless the books contained these particulars, they would be wanting in the precise information which it would be most important to have.

EARL BEAUCHAMP said, he thought sufficient information might be obtained through the medium of the Index Society. The registration of a distinctive mark would not necessarily lead to the detection of theft, for such an alteration might be made in the mark as would baffle inquiry.

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

Clauses 16 to 27, inclusive, *agreed to.*

Clause 28 (Appeal).

On the Motion of The LORD CHANCELLOR, the following Amendment made:—In page 16, line 23, leave out from ("of") to end of clause, and insert—

("Or Circuit Courts of Justiciary, in the manner provided by the Act passed in the twentieth year of the reign of His Majesty King George the Second, chapter forty-three, or by the Summary Prosecution Appeals (Scotland) Act, 1875, or any Act amending the same.")

Clause, as amended, *agreed to.*

Clauses 29 to 36, inclusive, *agreed to.*

Clause 37 (General definitions).

On the Motion of The LORD CHANCELLOR, the following Amendment made:—In page 19, line 34, after ("constabulary") insert as new sub-clause—

"(*g.*) In Scotland the expression 'justice of the peace' shall include sheriff and sheriff substitute."

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

The Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 185.)

THE IRISH LAND COMMISSION—APPEALS FROM DECISIONS OF THE SUB-COMMISSIONERS.

MOTION FOR A RETURN.

THE EARL OF LONGFORD, in rising to move for numerical Return of Appeals from decisions of Sub-Commissioners heard before the Land Commissioners up to June 30, 1882, showing the localities where the appeals were heard and the names of the Commissioners who heard the appeals upon each occasion; and a similar Return of Appeals from decisions of Civil Bill Courts, said, that he made the Motion with the view of obtaining the opinion of the Government, if it were possible, as to the practice which had been introduced into the Irish Land Commission of the hearing of appeals from the Sub-Commissioners by two Commissioners instead of three. It must be remembered that the great majority of appeals did not relate to matters of law, but only to questions of value and practical detail; and, therefore, it was desirable to have the presence of a Commissioner especially able to go into those subjects. Questions upon the subject had been asked in both Houses of Parliament; but the answers given were so unsatisfactory that it was thought desirable to bring it on again. He had reason to believe that the Prime Minister had, however, somewhat qualified his former answer, and now seemed inclined to the opinion that their reading of the Land Act was correct, and that three Commissioners should attend if possible. The practice recently introduced had been for two Commissioners only to attend. It was a matter of some importance, for it was not clear whether the view of the Prime Minister had been adopted by the Commissioners. By the 48th clause they were exempt from the jurisdiction of any Court; but perhaps they might be induced to alter their view by the Government. There was another matter which he desired to call attention to, and that was the matter of official valuation. Those landlords who were likely to be brought into Court were encouraged by the appointment, under the Act, of an independent valuer. Although it was stated that the Land Commission was not to be bound by the opinion of the official valuator, still it was hoped that the opinion of that person would have some little weight. Two cases, however, had come under his notice in which the official valuator's opinion had been entirely disregarded by the Court. In the first case the old rent was £724 per annum, the judicial rent fixed by the Sub-Commission was £572; before the appeal was heard an independent valuation by the official valuator was ordered by the Court, and amounted to £675; when, however, the case came before the Commissioners on appeal, none of these rents were adopted; but the Court adopted even a lower rent than the Sub-Commissioners had done, and reduced the rent to £553. The second case was one in which the old rent was £470; the judicial rent settled by the Sub-Commissioners was £352; the official valuator placed the rent at £466; but, in entire disregard of these estimates, the Court fixed the rent at £368 per annum, a sum nearly equivalent to the judicial rent. He trusted that these cases were not a fair sample of the value placed upon the official valuator's opinion by the Court. He would repeat that the matter was important, and in any communication that the Government might have with the Commissioners, he hoped that that matter would not be lost sight of. He was not quite sure whether among the mass of Returns granted the particular one he moved for was included; but, if it was not, he hoped the Government would not object to grant it. The noble Earl concluded by making the Motion of which he had given Notice.

Moved for, "Numerical return of appeals from decisions of Sub-Commissioners, heard before the Irish Land Commissioners up to 30th June 1882, showing the localities where the appeals were heard, and the names of the Commissioners who heard the appeals upon each occasion; and similar return of appeals from decisions of Civil Bill Courts."—(*The Earl of Longford.*)

LORD CARLINGFORD (LORD PRIVY SEAL) said, he quite agreed with the noble Earl opposite (the Earl of Longford) that both the points he had raised were of considerable importance, particularly that relating to the constitution of the Court of Appeal. With respect to the official valuator, he knew that the greatest weight was attached by the Commissioners to his opinion; but, as the noble Earl had said, they were not bound by it. He (Lord Carlingford) had no doubt that if all the facts of these cases, which were clearly exceptional, were known to them, it would be found that there were reasons for the Court departing more or less from the valuator's report. As regarded the Court of Appeal, he was only able to say that he recognized the great importance of the matter. It certainly was not the intention either of the Act, or of the Commissioners, that their number should be reduced to two, merely for the sake of their own convenience. Their view was that in the case of very urgent administrative business, the neglect of which would cause serious inconvenience, requiring to be transacted in Dublin, as happened at the present time, the words of the Act as to the "unavoidable absence" of any Member of the Court of Appeal applied, and that the Commissioner absent was unavoidably absent within the meaning of the Act. He was informed that what had taken place was, that Mr. Justice O'Hagan and Mr. Vernon were now hearing cases in Belfast, while Mr. Litton was performing business which was believed by the Commissioners to be most pressing and important in Dublin. No doubt it was a matter which required consideration. There would be no objection whatever to the Returns moved for by the noble Earl.

Motion *agreed to.*

Returns *ordered* to be laid before the House.

RAILWAYS (INDIA)—THE RAJPUTANA RAILWAY—THROUGH TRAFFIC RATES.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY asked the Under Secretary of State for India, Whether the Indian Government will soon definitely settle the rates on the Rajputana Railway for wheat and other produce; also, whether the Indian Government intends to give its attention to the reform of the management of the Indian railways, so as to secure better treatment of the third and fourth class passengers? The noble Lord said: My Lords, about two months ago complaints were made on account of the accumulation of wheat in Rajputana, as much, it was said, as 60,000 tons, which could not find an outlet because of the enhanced rates on the railway. These were reduced by the Indian Government; but they are still higher than they were last year, while the merchants still complain of insecurity and fear that the rates may again be raised, and wish for a more permanent settlement of the rates. The anxiety and insecurity on this score are increased by the fact that they have had good reason to apprehend that these high rates have been due to a desire on the part of the Government to favour the port of Calcutta at the expense of Bombay. The Bombay Chamber of Commerce memorialized the Government with respect to the favouring of Calcutta, but has not yet received an answer. The semi-official paper, *The Pioneer*, boasts that the officials have been able to hold the balance so fairly between the two rival ports. This, indeed, it has done, since wheat from Rajputana costs in Liverpool, when sent *viâ* Calcutta, 1,396 annas, and when *viâ* Bombay, 1,397 annas. This, *The Times of India* says, is red-tapeism, or grandmotherly legislation carried to an extreme. There has been of late years a greatly increased production of wheat in India, which is as beneficial to this country as to India; and it is inconceivable that the Indian Government should not devote all its efforts to foster and facilitate the exportation of Indian wheat. The other Question of which I have given Notice is in consequence of the general complaints with regard to the insufficient accommodation and ill-treatment of third and fourth class passengers by the Indian railways. They are made to wait for 15 or 20 minutes before the arrival of the trains in pens, exposed either to the sun or rain; sufficient time is not allowed them to come out of these pens before the departure of the trains. The fourth class passengers are placed in carriages more like cattle trucks than passenger carriages, and the passengers are compelled either to sit and stifle on the floor of these carriages, or to stand up all the time of their journey to obtain a breath of air. Complaints are also made of the great rudeness of the station masters and other European officials of the railways to these Indian passengers. Leaving aside all other higher considerations, it is clear that such treatment and the insufficient accommodation at the stations must check railway travelling and diminish the utility of the railways, and the profits of the Companies. It has been suggested in India that a Commission should be appointed to inquire into and remedy these abuses of railway management.

VISCOUNT ENFIELD: My Lords, the question of rates for the through traffic to Bombay from Delhi of grain by the Rajputana Railway is under consideration, and will probably soon be settled;

but I cannot say positively when these rates will be definitely arranged. The charge for the present is 13½ annas per maund for the 889 miles from Delhi to Bombay, which is at the rate of about ½*d.* per ton per mile. If there is any ground for supposing that the third and fourth class passengers on Indian railways are not treated properly, the Government will, no doubt, take the necessary measures for improving the management; and I believe that the Secretary of State will cause an inquiry to be made on the subject.

House adjourned during pleasure; and resumed by The Lord MONSON.

PREVENTION OF CRIME (IRELAND) BILL.

Brought from the Commons; read 1ª; to be *printed;* and to be read 2ª on *Monday* next; and Standing Order No. XXXV. to be considered in order to its being dispensed with (*The Lord Privy Seal.*) (No. 186.)

House adjourned at half-past Twelve o'clock A.M., to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 7*th July*, 1882.

The House met at Two of the clock.

MINUTES.] — WAYS AND MEANS—*considered in Committee*—£5,703,891, Consolidated Fund. *Resolution* [July 6] *reported.*

PRIVATE BILL (*by Order*)—*Considered as amended*—Derby Corporation *.

PUBLIC BILLS—*First Reading*—Lunacy Regulation Amendment * [230]; Weights and Measures Act (1878) Amendment * [231].

Committee—Report—Third Reading—Election of Representative Peers (Ireland) * [215], and *passed.*

Considered as amended—Third Reading—Prevention of Crime (Ireland) [226]; Corn Returns (No. 2) * [193], and *passed.*

QUESTIONS.

EGYPT (DIPLOMACY, &c.)

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, With respect to the following passage in a Despatch from Lord Granville, dated May 24th, 1882,

> "I told Musurus Pacha that reports had reached me to the effect that the communications addressed to Arabi Bey from Constantinople tended to encourage him in his opposition to the recommendations of England and France, but that I was glad to disbelieve these rumours," &c.

what "reports" were these; where did they come from; and will they be produced?

SIR CHARLES W. DILKE: Sir, the reports were to the effect stated by Lord Granville; they were of a confidential nature, and will not be published.

MR. BOURKE: Did they come from Constantinople?

SIR CHARLES W. DILKE: I do not think that I ought to answer that Question publicly; but if the right hon. Gentleman wishes I shall be happy to tell him privately.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, With respect to the following passage in a Despatch from Lord Granville, dated 24th May 1882—

> "I read to him" (M. Tissot) "Sir E. Malet's telegram of last night, reporting the gravity of the situation, and asked His Excellency to press strongly how undesirable it was to sacrifice the advantage of the agreement to which we had come in order to keep up a secret which in the end must be known,"

what was the agreement above alluded to, and what was the "secret" which in the end must be known?

SIR CHARLES W. DILKE: Sir, the agreement referred to is that proposed by the French Government on the 12th of May, and agreed to by Her Majesty's Government on the 14th, under which Turkey was to be asked to send troops to Egypt if the two Governments considered it advisable that troops should be landed. (See Egypt No. 7, Nos. 179 and 196.) This agreement was a secret at the date of Lord Granville's despatch.

THE IRISH LAND COMMISSION — MR. JOHN GEORGE M'CARTHY, A SUB-COMMISSIONER.

MR. PLUNKET asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that a protest has been made to the Irish Land Commission on behalf of all the landowners in the Union of Castletown, Berehaven, in the county of Cork, against the appointment of Mr. John George M'Carthy as a Sub-Commissioner for that district, on the following grounds, viz. that Mr.

John George M'Carthy, before his appointment as such Sub-Commissioner, practised as a solicitor in the county of Cork; that he had many clients amongst the tenant farmers of the district of Castletown, Berehaven; that one of such clients was Michael M'Carthy, chairman of the local Land League; and that the son of Michael M'Carthy served his apprenticeship, as a solicitor, to the Mr. John George M'Carthy, and is now solicitor in every instance to the tenants whose cases will come before the Sub-Commission; and, whether, under these circumstances, he will suggest to the Irish Land Commission the advisability of making some other arrangement as to the Sub-Commission for the said district?

COLONEL COLTHURST said, that, before the Chief Secretary for Ireland answered the Question, he wished to ask whether it was not the fact that Mr. J. G. M'Carthy had given great satisfaction as sub-coroner, and whether the Chief Secretary, from his knowledge of the character and antecedents of Mr. M'Carthy, did not consider him incapable of being influenced by the grounds mentioned?

MR. TREVELYAN: Sir, I have seen the remonstrance referred to in the Question of the right hon. and learned Gentleman the Member for the University of Dublin. I should have been glad if the Land Commissioners could have seen their way at once to have complied with it, and to have detached the Union of Castletown, Berehaven, from the Kerry Sub-Commission, and with that object the matter was pressed on the attention of the Land Commissioners, whose action, however, is, as the House knows, entirely independent of the Government, and they have informed me that it is not possible at present to recast the Sub-Commissioners' districts or alter the dates of the sittings, for which the regular notices have been served. Next Circuit Mr. M'Carthy will probably be transferred to another district. At the same time, I must, in justice to Mr. M'Carthy, say that the Commissioners state that the fullest reliance may be placed on his capacity and his integrity, and I am confident that he is not in the remotest degree likely to be swayed by any of the circumstances mentioned in the Question. From the time of his appointment as a Sub-Commissioner he has been entirely disconnected from his former profession, and until he was removed by the Land Commissioners to the Kerry district was engaged in the County Mayo.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. MARTIN KING.

MR. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If His Excellency the Lord Lieutenant has received an application for release on parole from Mr. Martin King, a suspect imprisoned in Enniskillen Gaol; and, whether, having in view that Mr. King's father, who is 89 years of age, is on his deathbed, His Excellency will consider favourably Mr. King's application?

MR. TREVELYAN: Yes, Sir; His Excellency did receive an application for release on parole from Martin King, now a prisoner under the Protection of Person and Property Act. The applicant represented that his father was on his death-bed, and had no one to look after him. His Excellency directed special inquiry to be made; and the local Constabulary, who personally visited the old man, found him in his usual good health. He has not been ill lately, and I am glad to say that his daughter-in-law is living in the house with him. Martin King is in detention on suspicion of inciting to murder, and His Excellency is unable to order his release.

INDIAN OFFICIALS (MADRAS)—GOLD MINING CONCESSIONS.

SIR WILFRID LAWSON asked the Secretary of State for India, What notice has been taken of the fact that certain high officials in Madras, members of Her Majesty's Covenanted Civil and Military Services, have publicly figured of late years as concessionaires of enormous blocks of land in India for gold mining purposes; would he explain how they came to acquire these extensive areas of land; whether such conduct is a breach of their covenant with Her Majesty's Secretary of State for India; and, would he explain how the Madras Government permitted these proceedings?

THE MARQUESS OF HARTINGTON: Sir, the Question of my hon. Friend does not specify any particular persons or cases; and I can only say that I am not aware that certain high officials in Madras, members of Her Majesty's Covenanted Civil and Military Services, have publicly figured of late years in the manner suggested. It is true that a member of the Madras Civil Service did some time ago, in contravention of the orders of Government, take part in negotiating and assignment of an exclusive right of mining in lands in North Arcot, to a partnership of which he was a member—which partnership was not registered as a Joint Stock Company. Upon the matter coming to the notice of Government the officer in question was suspended from employment pending the orders of the Secretary of State. Eventually, as he had divested himself of all connection with the partnership, and apparently realized the gravity of the position in which he had placed himself, he was permitted to return to duty, after having been some months under suspension. If the hon. Member will specify the case to which he refers inquiries shall be made.

CONVICT PRISONS (DUBLIN)—THE INSPECTORS.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state the names of the gentlemen appointed as successors to the first three outside inspectors of the Dublin Convict Prisons whose appointments came to an end in September 1881, and how many visits were made to the Dublin Convict Prisons since the first appointment of outside inspectors in September 1880?

Mr. DILLON said, that before the latter part of the Question was referred to he would like to ask what system of inspection existed at Kilmainham?

Mr. TREVELYAN: Sir, I am informed that at Kilmainham there is a local Inspector, and that the prison is under the same system as the other convict prisons. I mentioned yesterday the names of the gentlemen whose appointments as unpaid Visitors of the Dublin convict prisons expired on the 30th of September, 1881, and who were reappointed for 12 months. They appear to have paid one visit to the Dublin convict prisons—that was in December, 1880, when all three inspected the Mountjoy male convict prison minutely, and conversed with the prisoners in numerous cases in private.

Mr. JUSTIN M'CARTHY: Have there been no visits since that time?

Sir MICHAEL HICKS-BEACH: Does the right hon. Gentleman propose to appoint fresh Visitors?

Mr. TREVELYAN: I will answer that on Monday.

Sir HENRY HOLLAND: Was any visit paid to Spike Island Prison?

Mr. TREVELYAN: Yes. Pretty frequent visits.

Sir R. ASSHETON CROSS: Would it not be wiser to ask these gentlemen to pay periodical visits?

Mr. TREVELYAN: I shall certainly look into this matter.

THE IRISH LAND COMMISSION—COURT VALUERS—MR. GEORGE M'ILROY.

Sir HERVEY BRUCE asked the Chief Secretary to the Lord Lieutenant of Ireland, If a Mr. George M'Ilroy has been appointed one of the Court Valuers by the Irish Land Commission; if it is the case that his only qualification for the post is derived from the occupation of a small farm of about thirty acres; and, considering the importance of inspiring confidence in the impartiality of the Court Valuers, he will communicate with the Commissioners, suggesting to them to reconsider this appointment?

Mr. FITZ-PATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. George M'Ilroy, who has lately been appointed Court Valuer by the Land Commission, is also a Deputy County Surveyor, at a salary of £80 a year; and, whether he still holds this situation, not wishing to resign it till he sees how he gets on in his new appointment?

Mr. TREVELYAN: Sir, the Land Commissioners inform me that they appointed Mr. M'Ilroy to his present office on account of his high character for integrity and competence. They have favoured me with copies of some of the testimonials submitted in his favour—one from Colonel Buchanan, and another from Sir Francis Brady—and I must say that they are thoroughly satisfactory. The Land Commissioners themselves have had several of his Reports before them in appeal cases; and they state that those Reports gave them entire satisfaction. With regard to his appointment as Deputy County Surveyor, if he has not already resigned it he must do so. He was appointed a valuer on that understanding.

THE ROYAL IRISH CONSTABULARY—CONSTABLE O'RORKE.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at Ballintogher, county Sligo, Constable O'Rorke, of the Royal Irish Constabulary, has interfered to prevent the local fife and drum band from playing in and through the village; whether, if so, the Irish Government approve of the conduct of the constable; and, whether the course pursued by him is to be continued?

Mr. TREVELYAN: Sir, this Question only appeared yesterday, and I telegraphed for information; but the Papers are not yet to hand. I have received a telegram from the County Inspector, stating that Constable O'Rorke reports that complaints were made to him of acts of intimidation by this band while parading the roads by day and night; that the neighbourhood was kept in disorder, causing terror and alarm to law-abiding persons, and in the discharge of his duty he ordered them to disperse, since which time the locality has become peaceable. I cannot express any opinion on the matter until I see the Papers.

Mr. SEXTON asked if the Chief Secretary for Ireland would inquire into the conduct of the constable?

Mr. TREVELYAN: Certainly; by all means.

CRIME (IRELAND)—ALLEGED FIRING AT CAPTAIN OWEN WYNNE.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a paragraph in the "Freeman's Journal" of the 1st instant, purporting to proceed from the correspondent of that paper at Boyle, county Roscommon, and stating that Captain Owen Wynne, of Hazlewood, county Sligo, had been fired at the previous evening, while seated at his parlour window, by a party of three men wearing disguises, and that the bullets had passed quite close to his head and lodged in the opposite wall; whether Captain Wynne is at present, and has been for some time past, residing out of Ireland, and whether the statement that he had been fired at, or his house fired into, was a complete invention; whether he is aware of a report that the statement in question was despatched by telegraph from Sligo; and, whether the resources of the telegraph department have been employed to discover who sent the message?

Mr. TREVELYAN: Sir, I have seen the paragraph referred to, and I have also seen Captain Wynne's statement, that he has been residing out of Ireland for some time, and that there is no truth in the alleged outrage. The Government has no information as to the sources from which the inaccurate report was supplied to *The Freeman's Journal*, nor has any inquiry been made on the subject.

REPRESENTATION OF THE PEOPLE ACT, 1868—THE LIST OF VOTERS—INSERTION OF PERSONS HOLDING PARTS OF HOUSE.

Captain PRICE asked the Secretary of State for the Home Department, Whether the Circular issued by his directions last year to vestry clerks and overseers, requesting that steps might be taken to put on the list of voters all persons occupying separately any part of a house, has been rescinded; or, have further instructions been given in the matter?

Sir WILLIAM HARCOURT, in reply, said, that the Question had been put under a misapprehension, as the Home Office had put no interpretation whatever on the Act; but had merely called the attention of the vestry clerks and overseers to the existence of the Act, which, of course, it was their duty to administer. There was nothing, therefore, to rescind.

THE MAGISTRACY (IRELAND)—THE TOWN CLERK OF ARMAGH.

Mr. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to a speech delivered at the re-opening of Newry Orange Hall on Thursday June 22nd, in which occur the following passages:—

> "The Protestants felt that each one would have to combine with the other for their mutual defence. When the yeomen found they were so treated they went into the Diamon field and they confronted their foes and fired upon them. Forty-six of their opponents fell upon the field, while not a single one of the Protestant party was wounded.

> "As a Member of the Committee I can tell you that at the present moment the Orange men are organised into regiments and companies, and have their arms ready and everything ready;"

whether the Mr. Peel who delivered this speech is coroner and town clerk of Armagh; whether, as town clerk, he is officially charged with preparing the list of Parliamentary Voters; whether he is at the same time honorary secretary to the County Conservative Association; and, if these statements be true, what steps the Government propose to take?

Mr. TREVELYAN: Sir, I have seen a report of the speech in question. It contains the passage quoted by the hon. Member. Perhaps a different complexion might be put on the passage by the context; but, of course, it is a speech which ought not to have been made, for it not only stirs passion, but incites people to conduct which is actually illegal and punishable by Statute. Mr. Peel is County Coroner and Town Clerk. In the latter capacity it is his duty to prepare the Lists of Parliamentary Voters. He did not receive his appointments from the Executive Government, who, consequently, have no control over him. I am informed that Mr. Peel is not secretary to the County Conservative Association. The Government has no intention of taking any steps in the matter.

EGYPT—THE ARMAMENTS AT ALEXANDRIA.

Baron HENRY DE WORMS asked the Secretary to the Admiralty, Whether, in view of the fact that, in consequence of Admiral Sir Beauchamp Seymour's Despatch of the 29th of May last (Blue Book, Egypt, No. 8), remonstrances were then made to the Egyptian authorities on the construction of earthworks at Alexandria, and that, notwithstanding these remonstrances, the earthworks have since been mounted with heavy guns pointed at Her Majesty's ships "Monarch" and "Invincible," Her Majesty's Government will not at once take steps not only to prevent the completion of these works, but also to enforce their dismantlement?

Mr. ONSLOW asked the Secretary to the Admiralty, Whether instructions have been sent to the Admiral commanding the East India Station to place a sufficient number of vessels of the Royal Navy to act as convoy to the ships conveying troops from India to Egypt, in the event of this contingency being deemed necessary?

Mr. CAMPBELL-BANNERMAN: Sir, I regret to say that it is my duty to decline to give the information which the hon. Member for Greenwich asks for. I must make the same answer to the Question of the hon. Member for Guildford.

Mr. ONSLOW: Sir, if that is to be the answer, then I would like to know whether any arrangements have been made by the Admiralty to guard against the possibility of any attempt to prevent the landing of troops from India in Egypt in the event of its being found necessary to land a force? I give Notice of this Question as a hint to the hon. Gentleman. Of course, if he says in the interests of the Public Service it should not be answered, I cannot expect an answer.

Mr. CAMPBELL-BANNERMAN: I need hardly say that such a measure would not escape the attention of the naval and military authorities; but I can give no other information on the subject at present.

THE BOMBAY CIVIL FUND.

Mr. ARTHUR O'CONNOR asked the Secretary of State for India, Whether he will lay upon the Table a Copy of the Financial Despatch, of the 21st July 1881, to the Government of India relating to the Bombay Civil Fund, together with a statement showing the assets and liabilities of the Fund; the number of the present beneficiaries, and the nature of their claims; the nature and amount of the contributions received from all sources during the last five years; the nature and amount of all outgoings during the same period; the number of present subscribers; the probable amount of receipts during the next year; and the probable addition to the beneficiaries in number and amount during the next year?

The Marquess of HARTINGTON: Sir, there will be no objection to lay upon the Table a copy of the despatch in question, together with a statement showing the assets and liabilities of the Fund as on the 1st of April, 1875—the date of the last valuation—which will show the nature and amount of the contributions from all sources. The particulars required for the last five years can only be obtained from India after considerable delay.

MR. ARTHUR O'CONNOR said, that, in the absence of the information respecting the contributions of the last five years, he should feel it his duty to oppose the Bombay Civil Fund Bill.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—WILLIAM KEOGH.

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, If the case of William Keogh, a suspect in Enniskillen Gaol, a consideration of which was promised on the 15th of last month, will now be released; whether Mr. Keogh is charged with no crime, but simply with inciting to the non-payment of rent; and, whether he has not aged parents and two sisters who are solely dependent on his earnings?

MR. TREVELYAN: Sir, His Excellency the Lord Lieutenant considered the case of William Keogh on the 22nd of last month, but decided that he could not at present order his release.

ARMY ORGANIZATION (UNIFORMS, &c.) —HEAD-DRESS OF HIGHLAND REGIMENTS.

SIR HERBERT MAXWELL asked the Secretary of State for War, Whether there is truth in the report that the feather bonnet is to be discontinued in the head-dress of Highland regiments?

MR. CHILDERS: Sir, the hon. Baronet will, I hope, excuse my saying that at the present juncture I hardly think the House will care to discuss a question of this nature. But as he has thought it his duty to ask it at only a few hours' Notice, I will tell him the facts. There have been for some time discussions as to the suitability of the present heavy and costly bonnet of the Highland regiments; and, after many complaints, the Duke of Cambridge appointed a Committee of Scotch officers to consider the question. They have not yet reported; but when their Report reaches me the hon. Baronet may be assured that I will give it my most earnest consideration, and, if he will meanwhile call on the Adjutant General, we shall be very glad to have his opinion on the subject.

EGYPT (POLITICAL AFFAIRS) — THE RIOTS AT ALEXANDRIA.

MR. O'KELLY asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to statements in the "Morning Post" of Thursday, copied from the "Journal des Debats," in which the number of Arabs killed by the Europeans during the recent riots at Alexandria is placed at some six hundred; whether he has also seen an extract from a Tyneside-man's letter in the "Newcastle Daily Chronicle" of Thursday set the number of Arab dead at seven or eight hundred; and, whether he can corroborate these reports from information in his possession?

SIR CHARLES W. DILKE: No, Sir; I have seen varying rumours on this subject of a most startling nature; but there is no information corroborative of the statements in the Question at all.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government had any special reason for disregarding the warning as to the danger to European life and property contained in the telegram of Mr. Cookson, British Consul at Alexandria, received at the Foreign Office on May 30th, that is, twelve days before the massacre of June 11th; the telegram contained a petition from the principal British merchants to Lord Granville, and runs as follows:—

> "British residents in Alexandria call upon Her Majesty's Government to provide efficient means for the protection of their lives. . . . . The crisis is only suspended. . . . . There is every reason to fear the recurrence of perils which will come without warning, and against which the Europeans are absolutely defenceless. They have not even the means of flight, as in order to reach the ships in the harbour they would have to run the gauntlet through the streets."

The petition goes on to say—

> "The small squadron actually in port could only silence the Egyptian forts, and then would commence a period of great danger for Europeans, who would be at the mercy of soldiers, while the English Admiral could not risk his men ashore, as his whole available force for shore operations does not exceed 300 men, although the squadron was sent here to safeguard European life and property?"

MR. MAC IVER asked the Under Secretary of State for Foreign Affairs to state at the same time, if he still wished the House to believe that such vessels as the *Inflexible*, *Téméraire*, and the *Superb* were able to enter the harbour at Alexandria, and if it was not perfectly well known that they were cruising some 20 miles oft the harbour?

SIR CHARLES W. DILKE: I rise to Order, Sir.

MR. SPEAKER: The hon. Member is putting a Question which has no reference whatever to that now before the House. If the hon. Member desires to put his Question after the other Question has been answered, he may do so if his Question is in Order.

SIR CHARLES W. DILKE: The reason why I rose to Order, Sir, was that the hon. Member was stating opinions in the course of putting the Question.

MR. MAC IVER: I beg pardon. I had no intention of stating opinions.

SIR CHARLES W. DILKE: The hon. Member stated that it was perfectly notorious at Alexandria that these ships are cruising about and cannot come inside the harbour. That I consider to be stating opinions. With regard to the Question of the hon. Member for Eye (Mr. Ashmead-Bartlett), I have to say that Her Majesty's Government took every step recommended by their agents and the Admiral, and the squadron was greatly enlarged. I can only say that the previous statements I made on the subject are perfectly accurate, and that the statements which I answered were incorrect. The further ships, with a very large landing force, were ordered on the 30th, instructions were sent to Suda Bay, and the first of them arrived at Alexandria on the 2nd of May.

MR. ASHMEAD-BARTLETT: Does the hon. Baronet mean to imply by that answer that there were more than 300 sailors available on the 11th?

SIR CHARLES W. DILKE: Yes, Sir; enormously more than that.

MR. ONSLOW asked Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to make India pay for the war preparations now going on in that country in whole or in part, or whether the whole expense of equipping an Army in India, to be ready at any moment for foreign service, is to be borne by the taxpayers of this Country?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): I am glad that the hon. Gentleman appears to know, or supposes he knows, a great deal about the expense and equipment of an army in India. He seems to know more than we do ourselves. All I can say in answer to the Question is that I am totally unable to give the hon. Member any information in regard to any war preparations in India, or, if there are preparations, the mode of paying for them.

MR. ONSLOW: Do I understand that no preparations are being made for sending troops from India?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): I have already stated that I am totally unable to give the hon. Gentleman any information with regard to any preparations.

MR. ONSLOW: The right hon. Gentleman insinuates that I have given information which is false. ["No, no!"] What I wish to know is whether the Government are able to give the House any information as to troops being sent to Egypt from India, and whether the Indian Government will be called upon to pay for those preparations? I think I am entitled to an answer. ["Order!"]

MR. SPEAKER: The hon. Gentleman has put a Question and has received such an answer as the right hon. Gentleman, acting on his responsibility, thinks proper to give. He cannot, therefore, repeat the Question.

MR. MAC IVER said, he would then ask the Under Secretary of State for Foreign Affairs whether he had any objection to give the House some information as to what was perfectly well known at Alexandria—namely, that Her Majesty's ships *Inflexible*, *Superb*, *Alexandra*, and *Téméraire* were not within the harbour; and whether it was not the fact that they had never been so, but were cruising about 20 miles from land?

SIR CHARLES W. DILKE: I have various objections to make to the hon. Member's Question. In the first place, he has expressed an opinion; secondly, it is a Question which ought to be put to the Admiralty, and not to the Foreign Office; and, thirdly, the statement is inaccurate. I need only say that the answer I have previously given on this subject to the right hon. and gallant Baronet (Sir John Hay) is absolutely correct.

SIR STAFFORD NORTHCOTE: Without putting any specific Question, I may suggest whether the Government can give any further information as to the state of affairs at Alexandria, which, as we know, is extremely strained and may vary even from hour to hour. Therefore, without putting any Question which might embarrass the Government, I would ask if they can give any information with regard to the present state of affairs?

MR. GLADSTONE: I think it better at once to state that nothing has reached us of a disquieting character.

MR. MAC IVER: I wish to ask—[*Cries of* "Order!" *and* "Name!"]—whether I am correct in stating that the hon. Baronet wished the House to understand that the *Inflexible*, the *Superb*, the *Alexandra*, and the *Téméraire* are within the harbour of Alexandria?

SIR CHARLES W. DILKE: I have nothing further to add to what I have said. In my answer on a former occasion I did not name these four ships; but with regard to certain ships, without naming them, I stated general facts as to their power and capacity to enter the harbour of Alexandria. That answer has been carefully tested by the Admiralty, and has been found to be perfectly correct.

MR. MAC IVER: The hon. Baronet has not properly understood my Question. [*Cries of* "Order!" *and* "Name!"] I meant to——

MR. SPEAKER: The hon. Member has twice received an answer from the Under Secretary. He cannot rise a third time and ask the same Question.

MR. MAC IVER asked Mr. Speaker whether, if an hon. Member received an answer to a Question which had not been correctly understood, the same hon. Member was not in Order in repeating the Question? [*Cries of* "No!" *and* "Order!"]

[MR. SPEAKER did not reply.]

SIR WILFRID LAWSON asked the Prime Minister—or he would postpone the Question until to-morrow if it was not convenient to answer then—Whether, seeing that M. de Freycinet had assured the French Chamber of Deputies that the armed intervention of France in Egypt should not take place without the clearly-expressed previous consent of the Chamber, he could give a similar assurance that the English intervention should not be undertaken without, at any rate, the House of Commons being informed of the fact?

MR. GLADSTONE: The House is aware, Sir, that the fashion of putting Preambles to Bills has of late disappeared, but the fashion of putting Preambles to Questions has lately revived. With regard to the Preamble of the Question, as far as I am aware the French have an Article in their Constitution under which it is necessary to communicate certain matters to the Chamber before taking action. The French Government have, I believe, no choice in this matter. In regard to postponing the Question till to-morrow, I am afraid I must ask my hon. Friend not to do so, because I should then simply have to repeat this very barren answer—namely, that the nature of the case prevents me giving a substantial answer.

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 226.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

CONSIDERATION.

Bill, as amended, *considered.*

Clause 1 (Special Commission Court).

Amendment proposed,

In page 1, line 26, after the word "to," to insert the words "what was before the passing of this Act."—(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

MR. T. C. THOMPSON moved, in page 2, line 28, to substitute "Act" for "section," so that nothing in the Act should give a Special Commission a jurisdiction not belonging now to a Judge and jury.

Amendment *agreed to.*

On the Motion of MR. TREVELYAN, Amendment made, in page 2, line 30, by leaving out "have," and inserting "would but for this section have had."

Clause, as amended, *agreed to.*

Clause 6 (Change of venue).

On the Motion of MR. ATTORNEY GENERAL FOR IRELAND, Amendment made, in page 4, line 30, after " Justice," by inserting " or a Judge thereof;" and in page 5, line 17, by leaving out " of the High Court."

Clause, as amended, *agreed to.*

Clause 7 (Intimidation).

On the Motion of Mr. TREVELYAN, Amendment made, in page 5, line 37, before " towards," by inserting " to or."

Clause, as amended, *agreed to.*

Clause 8 (Riots and other offences).

MR. TREVELYAN, in moving, in page 6, line 6, after " who," to insert " in a proclaimed district," said, the Amendment was proposed in fulfilment of a promise made by him while the Bill was in Committee.

Question proposed, " That those words be there inserted."

MR. BRODRICK said, the Amendment would have the effect of rendering the clause to a great extent inoperative, inasmuch as pressure would be put on the Executive to proclaim districts in which the magistrates were unable to carry out the law.

SIR WILLIAM HARCOURT said, the encouragement was held out that districts would not be proclaimed if possible, as an inducement to them to keep quiet. He would remind the hon. Member that there were powers to proclaim districts under particular clauses, and not generally under the Act.

MR. GIBSON said, there was no evidence that the particular offences aimed at would be committed specially in a proclaimed district. He thought the acceptance of the Amendment would hamper the Irish Government, and lead to no good result.

MR. TREVELYAN said, the Irish Government perfectly recognized the fact that in passing this Bill, Parliament intended that it should be used, not only for the purpose of punishing offences when they had come to a head or were difficult to check, but likewise for purposes of prevention. The Irish Government would carefully consider all the circumstances of the case before a district was proclaimed. This clause dealt with certain offences that occurred in great numbers in a district which was very disturbed, and which did not occur all the country over. He confessed he did not feel as strongly as the hon. Member opposite the distinction which the hon. Member drew between this and the other clauses.

LORD EDMOND FITZMAURICE regretted the decision of the Government with regard to the Amendment, though he admitted that when the Lord Lieutenant and the Government of Ireland had distinctly stated that they did not require this power, it was difficult to do anything in the matter.

MR. O'SHAUGHNESSY said, he objected to the principle of coercion being applied to innocent parts of the country.

MR. PLUNKET said, he hoped the objection would not be pressed if the Government persisted in refusing to accept his hon. Friend's suggestion.

Question put, and *agreed to.*

MR. GIBSON moved, in page 6, line 8, to substitute the word " nine," instead of " six." The 3rd sub-section of Clause 8 dealt with an offence which had become common in Ireland—namely, the taking forcible possession of a farm from which the tenant had been lawfully evicted, and in many cases supporting and encouraging the tenant to take that forcible possession almost against the tenant's wish. This was one of the evils incident to " Boycotting " and the state of terrorism which so widely prevailed. The Government had inserted in this clause a provision that any person who within six months after being evicted took forcible possession of a house or land or any part thereof should be guilty of an offence against the Act. His objection to the limitation of six months was that it was about the worst conceivable period that could have been fixed upon. There were six months in which the tenant might redeem, and during this redemption period the land was practically worth very little, as the landlord could neither sink his money in it nor make a permanent new letting. The clause in its present form provided that the moment the redemption period ceased, and when the landlord might put a new tenant into possession, the evicted tenant should be freed from the restraint of the Act, and chartered to do everything he liked. This was open to serious criticism.

Amendment proposed, in page 6, line 8, leave out " six " and insert " nine."—(*Mr. Gibson.*)

Question proposed, "That the word 'six' stand part of the Clause."

SIR WILLIAM HARCOURT said, there was force in what the right hon. and learned Gentleman had said, and he would accede to the Amendment.

Amendment *agreed to.*

Clause 9 (Unlawful associations).

On the Motion of Mr. TREVELYAN, Amendments made, in page 6, by leaving out lines 21 to 25 inclusive; and in page 6, line 26, by leaving out "proceedings," and inserting "operations."

Clause, as amended, *agreed to.*

Clause 10 (Illegal meetings).

MR. GIBSON said, he begged to move an Amendment providing that one Justice should only be required to attend wherever an illegal meeting was proposed to be held for the purpose of notifying the order of the Lord Lieutenant prohibiting same.

Amendment proposed, in page 6, line 35, leave out "two," and insert "one." —(*Mr. Gibson.*)

Question proposed, "That the word 'two' stand part of the Clause."

SIR WILLIAM HARCOURT said, he could not accept the Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. TREVELYAN, the following Amendments made:—In page 6, line 37, after the first "and," by inserting "one or more of such justices shall in the prescribed form and manner;" in page 6, line 38, by leaving out "and repeat;" in page 6, line 38, by leaving out from "attending," to "and," in line 39, and inserting "that such meeting is prohibited by the Lord Lieutenant;" in page 6, line 41, after "time," by inserting "each of;" in page 6, line 42, after "Act," by inserting "so however that the term of imprisonment awarded shall not exceed three months."

Clause, as amended, *agreed to.*

Clause 11 (Arrest of persons found at night under suspicious circumstances).

On the Motion of Mr. TREVELYAN, the following Amendments made:—In page 7, line 7, by leaving out "suspicious;" in page 7, line 7, after "circumstances," by inserting "giving rise to a reasonable suspicion of a criminal intent;" in page 7, line 11, after "bring him," by inserting "as soon as may be and within a period not exceeding seven days."

On the Motion of Mr. LABOUCHERE, the following Amendments made:—In page 7, line 11, after "taking," by inserting "reasonable;" in page 7, line 11, after "bail," by inserting "but not exceeding fifty pounds."

On the Motion of Mr. TREVELYAN, the following Amendments made:—In page 7, line 12, before "such," by inserting "on;" in page 7, line 13, by leaving out "on;" in page 7, line 14, by leaving out "fails to satisfy the court that he," and inserting "and the case being heard, the court believe that such person;" in page 7, line 15, after "abode," by inserting "and not;" in page 7, line 16, at end, by inserting "so however that the term of imprisonment awarded shall not exceed three months."

Clause, as amended, *agreed to.*

Clause 12 (Arrest of strangers found under suspicious circumstances).

On the Motion of Mr. TREVELYAN, the following Amendments made:—In page 7, line 23, by leaving out "suspicious;" in page 7, line 23, after "circumstances," by inserting "giving rise to a reasonable suspicion of criminal intent;" in page 7, line 24, by leaving out from "and," to "the justice," in lines 25 and 26, and inserting—

> "If such justice after inquiry into the circumstances of the case by evidence on oath is satisfied that such stranger has not a lawful object in being in such place;"

in page 7, line 27, after "with," by inserting "two sufficient;" in page 7, line 27, after "sureties," by inserting "to an amount not exceeding fifty pounds for each surety;" in page 7, line 27, after "behaviour," by inserting "towards all Her Majesty's subjects;" in page 8, line 3, before "in," by inserting "is;" in page 8, line 5, by leaving out from "the," to "such," in line 6, and inserting "inquiry into the circumstances of the case of a person arrested under this section;" in page 8, line 6, by leaving out the first "or," and inserting "and;" in page 8, line 9, by leaving out "said;" and in page 8, line 9, after "justice," by inserting "or justices committing a person to prison in pursuance of this section."

Clause, as amended, *agreed to.*

Clause 13 (Newspapers).

Mr. TREVELYAN moved, in page 8, at end of Clause, to insert the following sub-sections:—

"(2) Where it appears to the Lord Lieutenant that such newspaper was printed and published in Ireland, the order of the Lord Lieutenant shall indicate the part of the newspaper on account of which the order was made, and if the newspaper specifies the office in Ireland at which the newspaper is printed and published, the order shall, as soon as practicable, be served in the prescribed manner at the office so specified.

(3) Every order of the Lord Lieutenant under this section shall be published in the 'Dublin Gazette,' and shall be laid before Parliament within thirty days if Parliament is next sitting, and if not, within thirty days after the next sitting of Parliament."

He might explain that these sub-sections had reference only to newspapers published in Ireland. It would, of course, be impossible to act in the same way in regard to foreign newspapers.

Question proposed, "That those words be there inserted."

Mr. LABOUCHERE said, he thought the 1st sub-section should be more specific. The phrase "part of" was very vague, and might be held to mean the whole page or the side of a newspaper. He moved to add "and the words."

Amendment proposed to the said proposed Amendment, in line 3, after the word "part," to insert the words "and the words."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, it would be impossible to accept that Amendment, because it would be giving wider publication to the very thing they wanted to suppress. The words "part of" would be held to mean the exact part of the article in respect of which the order was issued.

Amendment to proposed Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Words *inserted.*

Mr. LABOUCHERE moved, in page 8, line 4, at end of Clause, to add—

"The police conducting the search shall be bound to replace in the same order as they found them any articles that may be disturbed or to make good anything damaged or destroyed in the course of their search."

Sir WILLIAM HARCOURT said, that the Government would accept the Amendment in substance.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 14 (Searches for arms and illegal documents).

Mr. TREVELYAN moved, in page 9, at end of sub-section (2), to insert—

"Provided, That it shall not be lawful for an inspector or sub-inspector to enter in pursuance of this section a dwelling-house during the night, unless he reasonably suspects that at the time of his entry a secret society or secret association existing for criminal purposes is holding a meeting in such dwelling-house.

For the purposes of this section 'night' shall be deemed to commence at the expiration of the first hour after sunset and to conclude at sunrise."

Question proposed, "That those words be there inserted."

Mr. LABOUCHERE moved to amend the proposal by adding, after the word "dwelling-house," the words "and if it is found that no such meeting is then proceeding he shall at once retire." He believed that those were the words used by the Prime Minister when he announced the concession the Government were willing to make; therefore he supposed there would be no objection to it. He thought it would be the business of the police officer making the search, if he found there was no such meeting going on, to at once retire, and this was merely a polite way of explaining that to him.

Amendment proposed to the said proposed Amendment,

In line 5, after the word "dwelling-house," to insert the words "and if it is found that no such meeting is then proceeding he shall at once retire."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

Mr. GLADSTONE said, the proposal made by his right hon. Friend was intended to fulfil the pledge which was given in Committee by the Government; but the Amendment greatly extended the operation of it, therefore they could not agree to the Amendment. What the Government contemplated was that night search should only be lawful in connection with reasonable suspicion of the holding of an illegal meeting; but to say that the police should at once retire if there was not an illegal meeting going on would interfere with, if it did not entirely destroy, the purport of the clause. A secret society might be holding a meeting, or might immediately before have been holding a meeting, and on the approach of the police decamp, leaving behind them material evidence as to the nature of the meeting which might be most valuable to the Government; yet, if the Amendment were accepted, the police would not be able to take any cognizance of that fact.

MR. JOSEPH COWEN said, he could not understand why the police should stay in the house when they found there was no meeting taking place. Every Englishman's house was supposed to be his castle, and he supposed that every Irishman was in the same position. Would it not be sufficient to enact that where the police had entered, and on search had found that no secret meeting was being held, and that no instruments of crime were on the premises, they should retire?

MR. GLADSTONE said, that it was rather for the Secretary of State for the Home Department and for legal Gentlemen to answer this question than himself; but if the police found nothing on search they would be bound to retire.

MR. HOPWOOD said, he was going to make the same remark as the Prime Minister rose. If the police did not retire upon finding there was nothing wrong, they would be committing an unlawful act, and would be liable to both the civil and criminal consequences of their act. He hoped that, after what the right hon. Gentleman had said, the hon. Member for Northampton would withdraw his Amendment.

MR. LABOUCHERE said, that after that explanation he would ask leave to withdraw the Amendment.

Amendment to proposed Amendment, by leave, *withdrawn.*

Original Question again proposed.

MR. CARTWRIGHT appealed to the House not to assent hastily to this Proviso, which was one that he thought would tend to considerably weaken the powers of the Bill. He was aware that the Government had given an undertaking with respect to this point; but he thought the very serious events that had been occurring since the time when the pledge was given ought to be sufficient to enable the House, notwithstanding that pledge, to refuse to accede to it. They were confronted by an array of sedition that was operating by underground channels and secret societies, which must task the forces at the command of the Government; and if they introduced this Proviso into the clause, he believed it would be most mischievous and cruel, because the police would be then fighting with one hand tied behind them, and it would make it easy to dispose of documents that might be most important in unmasking conspiracy. He and other hon. Gentlemen had received presentments on the part of Grand Jurors of several Irish counties protesting in the strongest way against any limitation or alteration of the provision relating to the right of search, as originally introduced into the Bill. He therefore hoped the House would not consent to the proposal of the Chief Secretary for Ireland.

SIR WILLIAM HART DYKE said, he desired to utter a strong protest against the proposed mutilation of this clause. This Proviso was introduced in consequence of what he thought a most unfortunate pledge previously given by Her Majesty's Government. It would almost seem that the Government were getting so used to the horrors which were being daily enacted in Ireland as to be almost careless as regards the later conduct of this measure through the House. He thought that at present they ought, above all things, to seek to make the law feared by the people. ["Hear, hear!"] How better could they make the law feared than by giving the power which still happily existed in the Bill—the power to the representatives of the law at any time to enter into any house for the purpose of searching for arms or documents? It was a disgrace to that Assembly that in the present condition of Ireland they should be called upon to consider the weakening of this clause, which was intended for the detection and prevention of crime. They ought to demand from the Government to preserve the clause as it originally stood. It was somewhat hard on those of them who had given a loyal support to Her Majesty's Government throughout to find themselves thrown over at the last moment, and so mischievous and dangerous a Proviso as this proposed to be inserted in the Bill.

Mr. GLADSTONE: Sir, after the speeches to which the House has just listened, I cannot speak too early or too plainly on this subject. The right hon. Gentleman (Sir William Hart Dyke) complains that he has been thrown over by the Government—[*Opposition cheers.*]—and his words are adopted by the mass of those who sit behind him. They complain that they are thrown over, because in a particular clause of this Bill a certain modification and restriction of the coercive portions of the Bill is to be introduced. But I have always heard from the other side in these debates totally different language. It is always held by speakers in that quarter of the House, when they want to escape the responsibility of Coercion Bills, that they have only acceded to the demands of the Government with great reluctance. Why, then, do they not now accede with great reluctance? It has never, it is said, been the intention of the Conservative Party to press for more than the Government require. That is language that is constantly heard; and now, because the Government propose a particular mitigation of a particular clause, those hon. Gentlemen, who have been careful to describe this Bill on all occasions as the most severe Coercion Bill ever introduced, come forward in a tone of complaint and lament that they are thrown over. The right hon. Gentleman seems to think the pledge given by the Government in Committee was a very small affair.

Sir WILLIAM HART-DYKE: It was an unfortunate pledge.

Mr. GLADSTONE: Well, if it was unfortunate, it was still a pledge, and that is not a matter of small importance or to be treated lightly. To treat that pledge lightly is the demand made by the right hon. Gentleman opposite and by my hon. Friend behind me (Mr. Cartwright). We, of course, cannot do that. We know that if a promise be given by the Government, they are bound by it, whatever Party it may be given to. The right hon. Gentleman seems to think that the Government may abandon their pledge on account of what has happened in Ireland since it was given. I do not know whether he has watched the circumstances which have occurred in Ireland since then. The right hon. Gentleman has heard, as we all have heard, of the horrible crimes that have recently taken place in Ireland, and that during the last three months there has been an increase in these crimes. But, Sir, these horrible crimes that have occurred have every indication of having been connected with the action of secret societies, and they are in that respect dissociated from the general sentiment of the people of Ireland. The right hon. Gentleman says that our object should be to make the law feared by the people of Ireland, and that is the maxim which he has laid down; but our maxim is very different. It is that we would make the law feared by the criminals among the people, and the law respected by the people of Ireland, which is a far different maxim.

Sir WILLIAM HART DYKE: I do not wish to interrupt the right hon. Gentleman. In my remarks I referred entirely to the criminals of Ireland.

Mr. GLADSTONE: I heard the words of the right hon. Gentleman, and he stated that his desire was to make the law feared by the people of Ireland, and these words were cheered by some Gentlemen behind him. But I must say—to use a word of which the right hon. Gentleman seems very fond—that his mode of expression was most "unfortunate." The change that has taken place is not the simple change that the right hon. Gentleman supposed. There has been an aggravation of the most fearful crimes committed, as we believe, in connection with the action of the secret societies. To the subject of the secret societies our attention has been most closely directed, and we have taken measures independent of and above those known to the House in relation to those societies, so as by every means in our power to bring about their detection and suppression. But it is not true that the general mass of agrarian outrage has been increasing within the last two or three months. On the contrary, there is a very great diminution of the outrages connected with agrarian subjects in Ireland. There are indications also that, so far as the people in general are concerned, they are settling down into more orderly and peaceable habits. ["Oh!"] Someone says "Oh!" If that hon. Gentleman will kindly look at the Returns supplied by the Constabulary, which are the last, he will find that is the case, and that there has been for successive months, and is at present found, a very considerable diminution of agrarian outrages in general. Now, what is the change that is made in this clause? None at all in relation to secret societies, which is the object held in view all along by the Government. The restriction of the clause will not weaken the action of the Government with respect to the main difficulty with which the Government has to deal in Ireland —namely, secret societies. I am not speaking of the working of the clause, but upon its proposed restriction. My hon. Friend behind me (Mr. Cartwright) has spoken of the change of circumstances in Ireland. But I would repeat that, in respect of agrarian crime in general, the change is favourable, not unfavourable. The next argument of my hon. Friend was drawn from the presentment of Grand Juries. But I do not think the presentments of Grand Juries are a safe guide, though, doubtless, they ought to be taken into careful consideration. My hon. Friend has said that the power which we are going to restrict exists in the Metropolis. My hon. Friend is mistaken in that respect. My hon. Friend was referring to a law under which search may be made by day or night when a warrant has been issued for search in the particular house or premises mentioned. But the law which my hon. Friend recommends for Ireland is one which will confer a right of search in the whole of a district, embracing an entire county or more than a county. Then my hon. Friend and the right hon. Gentleman has given their opinion as to the necessities of the case in Ireland. Will the right hon. Gentleman permit me to say that, after all, he and my hon. Friend are not responsible in that matter. It was not incumbent upon them to force into the hands of the Government power in restriction of liberty which the Government do not admit to be necessary for the maintenance of order or expedient in existing circumstances. It is evident that the power of search by night is not one which ought to be carried beyond the limits of necessity. It is a power peculiarly grievous to those who are the sufferers by it, and peculiarly liable to lead to the most irritating and exasperating recollections, and in that way likely to lead to effects unfavourable to the cause of order. Searches by night for arms and documents are quite different from searches for meetings. In the latter case, simple entry in the premises decides the question. But in searches for arms and documents a total ransacking of the house becomes necessary, and complaints will naturally be made of the exercise of such a power. The inmates of the house are required to leave their beds in the condition in which they are, in order that those beds may be searched for arms or documents. It is not a pleasant subject to refer to, and I hope such powers will not be placed upon the Statute Book unless they are demanded by the responsible Government. I stated the view of the Irish Government on the subject when it was introduced to the House. It was that search should be confined to cases where there is reasonable suspicion of a secret or illegal meeting being held in a house. I would remind my hon. Friend that there is, or has been, a wholesome Rule of this House that when demands are made by the Government upon the people for grants of money, what the Government asks may be reduced, but cannot be augmented. According to the principles of the Constitution, it is not the duty of Members of this House to say to the Government—"What you ask is not sufficient for your purpose; you ought to get more." That Rule is wisely framed to prevent the House from giving more money than the Public Service requires. There is an exact analogy between that case and the demand made upon the House for the grant to the Government of coercive or restrictive powers. This House is the guardian of liberty. The responsible Government is, in the first instance, primarily and supremely the guardian of order. If the Government declines or fails to ask from the House of Commons what is necessary for the maintenance of order, it fails in its first duty. But, in such an event, it is the duty of the Opposition to get rid of the Government which has so failed. But they ought not to seek to force into the hands of the Government coercive powers which the Government declare to be unnecessary and cannot conscientiously exercise. Such powers, if not necessary for order and are restrictive of liberty, are positively injurious to the cause of order. I wish to explain the position in which I stand. I am not able to break my pledge; and if I find powers given to me for purposes restrictive of liberty when they are not demanded, and when I do not believe them to be necessary, I shall hold myself at liberty to do what I consider in conformity with my individual duty as an officer of the State, and to examine my personal position. I hold myself bound to reject the offer of powers which the Government have not demanded and think unnecessary. I have laid down the principles which, in my opinion, ought to guide us in this matter. First of all, the Government cannot consent to break the pledge they have publicly given; secondly, it would be an unsound and a dangerous principle for the House to give, or for the Government to accept, coercive powers which they do not believe to be conducive to the purpose of the measure they have introduced; and, thirdly, this power of search by night is pre-eminently one which, on every ground of public policy, ought to be comprised within narrow bounds. On these grounds, it is wholly out of my power to accede to the proposition which the hon. Member has made.

Sir STAFFORD NORTHCOTE: Sir, I apprehend whatever pledge has been given by the Government, or however binding it may be upon them, it cannot be held to be binding on the House, and that the House is perfectly at liberty, notwithstanding the pledge given by the Government, in the course of the Committee, to take any course which it might think proper, and to discuss and consider a question on which the Government may undoubtedly feel that they have surrendered their freedom of action. The Prime Minister found a good deal of fault with my right hon. Friend near me for saying that the Government in this matter threw over a large body of the House, and seemed to think that was a very extraordinary position for us to take up. The right hon. Gentleman amplified and explained that by saying that in point of fact the House had nothing to do in the matter of granting extraordinary powers to the Government, but to give what the Government asks; at all events, not more than what the Government asks. Of course, the Government must, in the first place, come to the House and make out a case when asking for extraordinary powers; and having done so, and induced the House to consent to the second reading of a Bill of an exceptional character, and having acceded to the general principle upon which we are to act in regard to the exercise of those powers, and the nature of the powers to be given, the House has a fair right to say that it demands the exercise of its own judgment with regard to any concessions by the Government in the nature of a modification or a limitation of the powers which they themselves asked for. The question of giving the power of the right to search was very obviously the duty of the Government to propose. It was most necessary, considering the very great difficulties there appear to be in getting evidence and tracing crimes to their source; and, on the other hand, getting information that would tend to prevent crime. It was found the special powers were required and the right of search. A drastic and valuable power was accordingly inserted by the Government in the Bill; but in the course of the discussion in Committee the Government, for some reason which was not very apparent to us, and the Prime Minister, acting very much on his own suggestion, and taking the Bill at that moment out of the hands of the Minister who had been intrusted with its conduct, took upon himself to say that he was proposed to modify this proposal, and to modify it in the sense of limiting its operation.

Mr. GLADSTONE: I am afraid the right hon. Gentleman did not hear me, or he would have quoted me more accurately. I most expressly quoted and placed in the foreground the judgment of the Irish Executive.

Sir STAFFORD NORTHCOTE: I was not present on the occasion; but what I heard led me to believe that the right hon. Gentleman interposed and took the Bill at that moment out of the hands of the Home Secretary and the Chief Secretary for Ireland, who had conducted it so far. Now, however, the right hon. Gentleman says that he acted on the suggestion of the Irish Government. Well, however that may be, we look upon this change as a concession calculated to weaken the whole Bill. We cannot altogether dissociate the conduct of the Government on this matter from its conduct on other occasions, when there have been questions of taking sufficient powers for the maintenance of order. We cannot dissociate it, for example, from the refusal of the Government to renew the Peace Preservation Act. We cannot help seeing there is a great and natural desire on the part of the right hon. Gentleman to mitigate, as far as possible, this part of the Bill, and to sweep away the opposition which comes from a certain quarter of this House, and to which he pays a great deal of attention. We claim for ourselves the right to discuss more fully the propriety of the Government in making this modification. We understand why this right of search was asked for, and how it would tend to prevent crime; but now comes the right hon. Gentleman, who says—"You must look on this right of search with reference especially to secret societies." That is pretty obvious to us all; we can see how very much crime in Ireland is the action of secret societies, and how necessary it is that the Government of the day should have every means of meeting and checking those secret societies. I say that if the right of search is to be confined by such a restriction as this, it will make this part of the Bill utterly useless. Secret societies are composed of men of the greatest ability and acuteness, and they will be able to see how they can carry on their business so as to avoid inconvenient surprises. Nothing would be easier than for the members of a secret society to take care that when its meeting was being held whatever they desired to conceal might be left in another house in the neighbourhood. Are the Government, when they had got information which might lead them to discover some nefarious conspiracy, and prevent deeds of the most fearful character, to be withheld because the meeting was not going on actually at No. 10, but at No. 12, or that the meeting had been held half-an-hour ago? It seems to me that this Proviso is one which very generally destroys the effect of this clause; it takes the edge off the weapon. I cannot go so far as to say that it renders it worthless; but, undoubtedly, it renders it very nearly worthless. It is urged that there would be abuse; but it lies with the Government to exercise this power of search in such a manner that it should not lead to the evils which the Prime Minister points at. You are passing a Bill now which will last for some years. You cannot supplement its defects if you allow them to pass now. Therefore, the House has a right to insist upon the Government, since they have asked for these powers, exercising them. I will only add that I think the hon. Member for Oxfordshire (Mr. Cartwright) has done good service in this matter, and has shown a courage not too often found among the ranks of the Party opposite.

MR. W. E. FORSTER said, he wished to explain to the House his reason for the vote he was about to give. While he was not surprised that hon. Members on both sides of the House should find fault with the change proposed, he did not feel so strongly about it as some. He had not so much confidence as was felt by some hon. Gentlemen in the success of search under any circumstances, as he thought arms would be secreted in places where they were not at all likely to be discovered; but, undoubtedly, there was a good deal in the argument that if they were likely to be found at all, they were more likely to be found by night than in the daytime. It seemed a pity that the Government had not earlier made up their minds whether this power was absolutely necessary or not for the maintenance of the peace of the country. The reason why he should support the Government was that he did not consider the proposal to be a concession to the representation in that House; but he understood the change to arise solely from the well-matured thought of the Irish Government, and especially of his noble Friend the Lord Lieutenant of Ireland. He had watched the noble Earl's action with the greatest possible attention, and he did not think there could be two opinions as to his determination to use every power he possibly could to restore law and order in Ireland, and to put down crime. If the Lord Lieutenant had come to the conclusion—as he understood he had—that he would rather be without this power than with it, he did not think Parliament should force it upon him. It should be remarked that the exercise of the power of search excited the strongest possible opposition in Ireland, and there had been an advantageous change in the law passed last year, which was worth consideration. When it was his business to superintend the working of that Act, it was a great misfortune that, under the Peace Preservation Act which was last passed, special warrants were required to search any particular house. At present an Inspector or a Sub-Inspector had the power to search when and where he thought it desirable to do so. But it was a strong power to give to officials; and he could understand the Lord Lieutenant fearing that the exercise of it, even with the best discretion men could exercise, might lead to such a strong feeling that it was better not to retain the power unless it were absolutely necessary. The Government at first brought forward a proposal that they thought absolutely necessary; it would have aroused opposition in Ireland, and would have given rise to complaints; and now the Head of the Executive in Ireland, who was making most determined efforts day and night to put down disorder, was of opinion that he would do better without this power than with it. Under these circumstances, he did not see how they could force it upon him. But the right hon. Baronet (Sir Stafford Northcote) was mistaken in what he supposed would be one result if the alteration were made. He had forgotten the words "in pursuance of this section," and that there would be left the powers of the ordinary law to make search in cases of treason and other crimes and the fear of murder.

Mr. A. J. BALFOUR said, that the Prime Minister seemed to be agitated by the statement that it ought to be their object to make the law feared in Ireland. Well, the Criminal Law existed to be feared; and the only people who were coerced by law at all were those who were coerced by the fear of it, and not by the love of it. If we legislated on any other theory we should not make the law either feared or loved. Under the present Government, as it seemed to him, Parliament was expected to legislate with a pistol at its head. The votes were to be determined, not by the merits of the case, but by intrinsic considerations. Thus, the Arrears Bill was to be passed because, having been introduced, it was dangerous to reject it; and now the Coercion Bill was to be altered, or the Government would resign.

Mr. GLADSTONE: I did not say that.

Mr. A. J. BALFOUR said, that if words had any meaning, that was the threat held out by the Prime Minister to his own supporters if the Government were beaten. He said that if they so far went against the Government as to vote against this Proviso, he would reconsider the position.

Mr. GLADSTONE: What I said was, that I should consider myself perfectly at liberty to examine and consider my own personal position.

Mr. A. J. BALFOUR: His personal position as Prime Minister of this country. That meant that he would be at liberty to resign; and if that was not the interpretation to be put on his words, he hoped some of his Colleagues would rise and explain what the interpretation was. The Prime Minister said that agrarian crimes were diminishing, but the crimes of secret societies were increasing. The Government seemed to suppose that by leaving the words "secret societies" in the Proviso, they would effectually deal with secret societies. They seemed to think that a secret society was only formidable when it was in session, and that unless it was actually assembled in a house the police ought not to enter it. Was it supposed that the evil work of a secret society was wholly or principally carried out when it was actually meeting for debate? We knew that there existed the instruments by which its commands were carried out; it was these we wanted to get at; but these we could not get at if we restricted the right of search to the exceptional occasions when it was meeting for the transaction of business. Therefore, the Proviso now proposed would really prevent the police employing the principal means by which secret societies could be reached. Consequently, it appeared to him perfectly plain that the Government, by introducing this limitation, were not carrying out the object they professed to have in view; but practically, in order to carry out pledges given to the Committee in a rash moment, they would allow not only agrarian outrages, but also secret societies to escape. He hoped, therefore, hon. Members opposite would not take seriously the threat which the Prime Minister had held out, but would vote for the Bill as, he presumed with good reason, it was originally introduced.

Mr. GOSCHEN said, that, like hon. Members opposite, he was somewhat anxious to be able to comprehend the full meaning of the words of the Prime Minister as to the position of the Government if the Amendment were negatived. He was bound to say that those words were very ominous. His right hon. Friend had re-stated the exact words he used; but the statement was open to several interpretations. What he (Mr. Goschen) was somewhat concerned to know was this: Did the Amendment stand upon a totally different footing from other Amendments proposed during the progress of the Bill? Were they less free than they had been upon any other Amendment to give such a vote as appeared to them to be right, according to the arguments they had heard? Did the Government attach more importance to this than to those which had preceded? Unless he heard more upon that matter he should consider that every Member was as free to give a vote upon this Amendment, according to the arguments and to the best of his judgment, as upon any other question. He hoped, therefore, before the debate closed, some other Member of the Government would explain the meaning of the right hon. Gentleman's words. The Prime Minister had used very high language upon this Amendment; and it must be remembered that this was not a Motion directed against the Bill, but against a change in the Bill proposed by the Government; and, therefore, no one could be accused of any disloyalty for prefering the clause as originally drafted to the form it would have as it was now to be amended. It was said that the change now proposed was a concession hastily made to Irish Members opposite; but this could hardly be the case, as they had the assurance of the Government that the change was now proposed by Earl Spencer himself, and certainly, therefore, those on the Ministerial side of the House could not consider it as a concession made in the heat of debate. The question, then, was this: The Government, having at first determined that the power of search during the night was necessary, had since changed their minds; on which side, therefore, ought the House to give their votes? They must bear in mind that they were dealing with a Bill which was to last for three years, and that there could have been no material change in the situation in Ireland since it was introduced; at least, there had not been such a change for the better as to convince them that a power once thought necessary could be dispensed with. Assume that outrages had diminished, had there been any increase in the discoveries of the authors of the outrages? This clause was aimed, not only at the prevention and diminution of outrages, but at the discovery of crime, and of agrarian as well as political crime. Had there been an increase in the power of discovery; were more offenders brought to justice; were more witnesses coming forward? When murders had occurred during the last fortnight, and the population had not come forward to assist the police, was this a moment to make a change in the Bill which would be deemed a weakening of the chances of discovery? If we authorized search by day, on what ground should we not have it by night, if we really wished to get at secret documents and the paraphernalia of crime in the case of agrarian and political outrages? How were they to know that the political societies did not also work in the case of the agrarian outrages, and bring distress in that way upon the country? Reluctant as he was to vote in a contrary direction to the Government, he did not feel convinced by the arguments he had heard upon the subject. If the power proposed to be given was not necessary at the present moment, then let the Lord Lieutenant refrain from exercising it. What the House wanted to feel sure of was that they were doing, once for all, all that was necessary, and giving the maximum power to the Government, and for that reason they ought not to hesitate about voting that additional power to the Government, even if it were not demanded by them. He regretted that at an earlier portion of this debate there seemed to be a little heat between the two sides of the House. The right hon. Member for Kent (Sir William Hart Dyke) had spoken with considerable warmth in attacking Her Majesty's Government; but could they not close the debate without making it a question of Party between the two sides of the House? Her Majesty's Government had certainly received much support from hon. Members opposite, although the idea had been received with scorn by some hon. Members. No one could remember the action of the right hon. and learned Members for the University of Dublin (Mr. Plunket and Mr. Gibson) without feeling that, in no case, had they endeavoured to embarrass the action of the Government, and they scarcely attempted to oppose the measure, except in cases of what they deemed absolute necessity. It would, therefore, be a matter for regret if in this, the last debate upon the Bill, the Irish Party having left the House, there should be a continuance of anything like a Party discussion between the two sides of the House. He trusted the matter would be decided on its merits, and that everyone would vote upon it in that sense.

Sir WILLIAM HARCOURT said, he entirely agreed with the remarks of his right hon. Friend the Member for Ripon, and thought it extremely desirable that the present debate should not assume a Party character, more particularly in the absence of those Members who were more closely connected with Ireland, and whose interests were more nearly affected by the present Bill. That was an additional reason, if reason were wanted, for treating the matter with extreme caution. He entirely recognized the fairness with which the Bill had been dealt with in all its stages by hon. Members opposite; but, at the same time, he thought his right hon. Friend (Mr. Gladstone) was entitled to decline the view of the right hon. Gentleman opposite (Sir William Hart Dyke), that there was any sort of compact which entitled any Gentleman in the House to speak of being thrown over if one thing was done or another thing was done. It was not a question of obligation of one side of the House to the other. It was a question of the merits of the proposition itself, whatever it might be; and he trusted it would be regarded from that point of view alone. The history of the Amendment was simply this—that here was a power which the Irish Government thought they could safely dispense with. If that were so, the question arose, Would it be wise on the part of the Administration to demand powers larger than those they considered necessary—powers which, of course, must, from the necessity of the case, press somewhat hardly upon the people against whom they were demanded? If the Irish Government, with their experience of the condition of the country, were willing to dispense with further powers, would it be wise on the part of the House to compel that Government to accept powers which they thought unnecessary? It was quite certain that this Bill would be regarded by many persons in Ireland with dislike. What would their feelings be if, in the absence of hon. Members from Ireland, the House of Commons insisted on inserting a clause which the Irish Government thought unnecessary? That was the situation in which the House would place itself in rejecting this Amendment, and he asked them most seriously to consider the consequences of such an act as that on the effect of this Bill and the administration of its provisions. After a long and protracted contest, they had come to the conclusion of this Bill. He hoped the effects of the measure might be to restore that peace and tranquillity to Ireland which it so sadly needed, and that at this the very last stage of the Bill, the House of Commons would not enter upon a course which might possibly have the effect of weakening its effect and embarrassing those who had to administer it.

Mr. GIBSON said, he had listened most carefully to the arguments used in the course of the debate, and, as far as he was concerned, he had not the slightest desire that the Bill should be made in the slightest degree more stringent than the necessities of the case demanded, or that any concession should be withheld which could be reasonably and fairly made; but he could not for a moment recognize that every Member of the House was not now entirely and absolutely free to exercise impartial judgment on the proposal before the House. He did not know why the Prime Minister spoke—he did not say with warmth, but with some little feeling on this subject, and used those enigmatical words as to reconsidering his personal position in the event of the rejection of the Amendment, to which he (Mr. Gibson) did not wish to give any particular meaning. He did not see exactly why the right hon. Gentleman used them, because the right hon. Gentleman suggested that he was not responsible for this concession at all, but that Earl Spencer was the person upon whom the responsibility rested. Of course, the right hon. Gentleman, as Prime Minister of the country, was responsible for his own words and his own conclusions, and if he was not the original initiator of the proposal — [Mr. Gladstone: Which was agreed to.] He assumed that if it had not been agreed to it would not have been brought forward. But he did not see why there was anything very special in this Amendment or proposal which should in the slightest degree entitle the right hon.

Gentleman to use any particular form of words which would not apply to any other proposal, and he considered himself entirely free to consider the proposal on its absolute merits. He did not feel in any degree pressed by the suggestion of the Home Secretary that they ought not to reject the Amendment on account of the absence of hon. Members representing some Irish constituencies. They were absent because they did not choose to be present. The door of the House was perfectly wide open to them if they chose to enter, and some of them had exhibited a certain amount of individual curiosity in the proceedings of the House. But he would point out that this Bill was not introduced hurriedly or suddenly, but after great deliberation on the part of the Government, and the House was expressly told that it was not suggested by the deplorable occurrence which preceded it. It was introduced in a powerful speech by the Home Secretary—indeed, no clause was more carefully presented to the House than the one permitting night search. It was further pressed upon the attention of the House upon the second reading of the Bill, and again upon the Motion that the Speaker do leave the Chair; it went to the House and to the country as one of the best-considered proposals of the Government, and one which they desired to see passed into law. The Government, knowing the state of affairs in Ireland, proposed the clause, and the House, having a knowledge of those deplorable facts, a knowledge which was shared by the whole Empire, acquiesced in that decision. The Bill having been drafted with care, the House was now asked by the Government to act on the spur of the moment, and to accept this vital change in it. He was of opinion that the proposed change would be a mistake. He had considerable means of knowledge in reference to this matter, and he had a great interest in keeping himself well informed with regard to it; and, as far as he was able to judge, there was absolute unanimity of public opinion in Ireland—that was to say, among the law-abiding classes, who were not ashamed or afraid to say they were in favour of the law—in favour of the clause originally introduced by the Government, which, although a grave and serious clause, requiring caution, discretion, and forbearance in its administration, contained a necessary power to be intrusted to the Executive in Ireland. Every person who by word or letter had communicated with him, earnestly intimated an opinion, in which he concurred, that the Amendment now proposed would, to a very substantial extent, weaken the efficacy of the clause at the point where it was most desirable it should be strong. It was obvious that the power was perfectly safeguarded by providing that the Lord Lieutenant alone should sign warrants, and that these should be directed only to high officers of the Constabulary, who held a rank equivalent to that of commissioned officers in the Army, which would enable them to search for evidence of crime. That was the original proposal of the Government, made some six or seven weeks ago, when the state of Ireland was less grave and serious than it was at the present time. The Proviso now sought to be introduced would have the effect of emasculating the clause. The idea of telling secret societies, which worked by stealth, and with every element of clandestinity, whose period of action was the night, that the houses of their members should then be safe, was a proposition about as startling to common sense as could be conceived; and if all the Lord Lieutenants that had ever presided in Ireland were sitting on the opposite Bench, he should strictly scrutinize their reasons for making it. What were the secret societies, and what were their modes of action by which they were deluging Ireland with innocent blood? Did they work in the day time in the face of the police, or did they select dark places and dark nights for their operations? And yet this Proviso would enable the police to search their houses in the day time, when they did not work, and would protect their houses in the night time, when they did work. Why did not the Government take this power, and, if they thought fit, dispense with it in administration? He did not pretend to state what were the reasons which had induced the Irish Government to consent to this Proviso. Neither the Home Secretary nor the Chief Secretary had given any reasons in its favour, except that the Irish Executive were willing to dispense with the power which the clause conferred upon them. When these extraordinary powers were asked for, the Government gave excellent reasons why they should be conferred upon them; but they had given no reasons whatever why they should now be withdrawn from them. If it were necessary that the Government should introduce this clause two months ago, what had occurred since to render it unnecessary now? Could anyone believe for a moment that the state of Ireland was less grave and serious now than it was then, or that crime was committed now with less impunity than it was then? On this point he took his stand on the charges of Her Majesty's Judges in Ireland at the last Assizes. Statements had appeared in the public newspapers that it was the intention of the Government to hunt down the perpetrators of these secret crimes with bloodhounds.

Sir WILLIAM HARCOURT said, that those statements should have been contradicted. They were not true.

Mr. GIBSON said, he was glad to hear that statement from the right hon. and learned Gentleman. Still, the fact that the suggestion had obtained currency was a proof of the condition in which Ireland was placed. The right hon. Gentleman the Prime Minister had endeavoured to show that the number of agrarian crimes in Ireland was less this week than it was last. He did not care for figures in such a case as this. It might be that in this week, as compared with last, there were 5 or 10 or 15 or 30 fewer agrarian crimes; but could anyone say the crimes in Ireland were not increasing in intensity, in brutality, and in savagery? When they had these circumstances in connection with the fact pointed out by the right hon. Gentleman the Member for Ripon (Mr. Goschen), that notwithstanding the number and the brutal and savage character of those crimes, no one was made amenable to justice and submitted to the ordinary tribunals to answer them, was that a time to select to weaken the proposals deliberately submitted to Parliament to grapple with this class of crime? The crimes now committed were marked by a more hideous secrecy, by a more appalling connivance, and by a more wretched sympathy. Let them look at the character of the murder which took place in Dublin the other day. They should bear in mind what was admitted in this House two days ago—namely, that under the Protection Act now in existence in one night in the town of Loughrea the Government found themselves bound to arrest 23 men, and that was an instance that did not encourage one to accept such an Amendment as this. He would ask hon. Members to look at the Amendment of the Chief Secretary. It said that the Chief Inspector of the Constabulary, armed with the Lord Lieutenant's warrant, was not to enter at night to search for documents and arms, &c., even if he knew those articles were there, unless he also suspected that a meeting of a secret society was then being held. He impressed upon the House the necessity of considering the effect of that Amendment. The highest officer of Constabulary could not enter unless he reasonably suspected that a secret association was located there, even if he had the knowledge that the articles he desired to search for were within the house. Was not that a nonsensical Proviso to put into a Bill for the prevention of crime? How could such a proposal be defended? The result would be that the Bill would be, not for the prevention, but for the protection of crime. Could any other meaning be suggested on the clause now presented to the House other than that which he said was the true one? As he had said before, if every Lord Lieutenant, who ever had the honour and responsibility to preside in Ireland, said he was willing to dispense with the powers he had previously demanded, he (Mr. Gibson) would decline to bow his understanding to a suggestion which his reason said was absurd.

Mr. WHITBREAD said, he could not help thinking that all this warmth would not have been displayed unless there was a suspicion that this was a concession, but a concession to whom? [Mr. Warton: To Parnell.] No; it was really a concession to the calmer and more mature judgment of the Lord Lieutenant. What was the use of putting a weapon into the hands of the Government, and telling them, as the right hon. Member for Ripon (Mr. Goschen) said, that they need not use it? The power of entering a dwelling-house at any time on a suspicion that a treasonable meeting was being held existed, and it was right that it should exist. If the police had not power to enter at any time the meeting might be dissolved and the evidence made away with, but arms could not be destroyed, and the police could have no great difficulty in seizing them, even though they were not entitled to make searches at night. The Irish Government had come to the conclusion that the operation of this clause as it stood would probably be adverse to the interest of the country; that it would give rise to irritation, and do more harm than good. The information of the right hon. Gentleman who had just addressed the House was, no doubt, very valuable; but he relied more on the opinions of the responsible officers who administered the government of Ireland. The Liberal Party had been willing to arm the Government with all the powers they asked for to enable them to deal with this grave state of affairs in Ireland. He had supported them even in renewing the Alien Act, because they declared it to be necessary; but he remembered that he sat in that House as a Representative of Liberal principles, which forbade him from urging on the Government to take more extraordinary power than they themselves deemed requisite for the occasion. It was upon that broad ground he declined to be a party to forcing into their hands a weapon which they thought they could do without, and he could not but think it would be a sign of demoralization on the part of the Liberal Party if they insisted on the Government taking unconstitutional powers beyond what they themselves had asked for.

SIR WALTER B. BARTTELOT said, he wished to put clearly before the House the origin of this question. It would be in the recollection of hon. Members, when the Bill was introduced, that the Prime Minisier stated that the measure was one which all along had been in contemplation and had been considered and prepared. The Lord Lieutenant, who was a Member of the Cabinet, knew that that was the case. If, therefore, the Lord Lieutenant had the great objection to the clause which it was alleged he had, why had not an Amendment to it been moved during the 16 or 17 days spent in Committee before that clause was reached? When the right hon. and learned Gentleman the Home Secretary was ably, carefully, and manfully conducting that Bill through Committee, the Prime Minister came down, he supposed, after some secret communication with the Lord Lieutenant —["Order!"]

MR. GLADSTONE: I rise to Order, Sir. I must say it is intolerable that a Member of this House should charge me with the basest conduct in holding secret communication with the Lord Lieutenant without the knowledge of my Colleagues.

SIR WALTER B. BARTTELOT said, he seemed to be singularly unfortunate in his remarks. But surely the Prime Minister was perfectly at liberty to communicate with the Lord Lieutenant of Ireland if he thought fit. If the right hon. Gentleman could communicate, directly or indirectly, with the prisoners in Kilmainham Gaol——

MR. GLADSTONE: I rise to Order, Sir. I do not believe it is in Order to make such charges which constitute an imputation on personal honour. If I understand the hon. Baronet rightly, he says that I communicated with Mr. Parnell in Kilmainham Gaol apart from my Colleagues. [*Cries of* "No, no!"]

SIR WALTER B. BARTTELOT replied, that he had said nothing of the kind. What he had said and adhered to was that there were communications of which the right hon. Gentleman was cognizant, because he had told the House that he had reason to know that certain things would take place. Thus, an arrangement or an agreement or something of that sort had taken place between the Government and Gentlemen who had been described as steeped to the lips in treason. It was a curious effect of those circumstances that the right hon. Gentleman should come down one night and take a particular Amendment out of the hands of the Home Secretary, who had charge of the Bill. The Amendment of the Government would absolutely prevent the police, who might follow a particular man into a house, well knowing that he was an assassin, from arresting him because there might be only one man in the house, so that the right of search for secret societies could not be exercised. The effect of the Amendment would be more mischievous than could well be imagined. How, under such a law, could that notorious murderer Ryan Buck, who had been concerned in 19 murders and principal in 13, have been arrested in 1847? Although the right hon. Gentleman had said that agrarian crime was dimishing, he believed it was more rife now than ever it had been; and yet that was the time chosen by the right hon. Gentleman for diminishing the powers for the repression of crime which existed in the Bill as first introduced into that House.

Mr. JOSEPH COWEN said, in the numerous divisions that had taken place on this Bill he had never once voted with the Government; but he meant to vote with them on this occasion. Ministers would not think him a very general supporter of their policy, and he certainly was a very strong opponent of coercion. But he thought the House was doing the Prime Minister an injustice. Many of the Members now present were not in their places when the concession was made. There were not 40—indeed, there were not 30—Members in the House at the time. He remembered the circumstances well, as he had taken an active part in the discussion of the clause. And what were the facts? The clause as it stood empowered the police to enter any house they liked—peaceably if the inmates chose, but forcibly if the police felt so disposed—and to search for arms, ammunition, documents, or suspected persons. It was shown during the discussion that this arbitrary power had under former Acts often been used vindictively, and that constables who possessed any ill-feeling towards the peasantry could so use their authority as to cause the poor people annoyance and subject them to persecution. They entered houses at all hours of the night, disturbed the inmates, cut open their beds, pulled down their mantel-pieces, and tore up the boards. They not only did great damage, but they resorted to practices that were sometimes cruel and often indecent. He remembered saying at the time of the discussion that there was no clause in the Bill which the Irish cottiers resented more than this; that it occasioned a maximum of irritation, and only rendered a minimum of service. Observations of this kind were repeated from the Opposition Benches. Numerous instances of cruelty were quoted to justify the denunciations of the clause. The Government refused at first to make any concession; but at the Evening Sitting the Prime Minister came down to the House, when a few Members were there, and intimated that the case against the hardship of the clause had been made out. The Government had been in communication with Earl Spencer during the progress of the Bill. The Viceroy, he added, had seen all the Amendments moved to it, and was familiar with its progress. After consultation with him, the Ministry had decided to make the alteration demanded—namely, that the right of domiciliary visits should be limited. The police were to be allowed to enter any house when they had reason to suspect that illegal meetings were being held or that conspiracies were being hatched. To effect entrance for that purpose no restriction was fixed. But the police were not to be allowed to enter houses after certain hours for arms alone. This was the concession granted. These were the conditions under which it was granted. The House had been told that if the clause passed as it stood a policeman would not be permitted to enter a house in search of the apparatus of conspiracy, as they called it, after a given hour at night or before a given hour in the morning, and that any arms which might be there could be spirited away during the interval. But they had an easy remedy for this. If the police believed there were arms or illegal instruments in any house, all they had to do was to watch it for a few hours and prevent the people carrying out the weapons. It was imagining a case that would really never occur. He thought the Opposition were hard upon the Government on this point. They were accusing Ministers of having made concessions. But what was the fact? The Bill before them was the most drastic and arbitrary that Parliament had ever passed. It struck at principles and privileges that were dear to every Englishman, and that were their boast and birthright. It destroyed trial by jury, the liberty of the Press, the right of public meeting, and the right of asylum. It covered several foolscap pages, and comprised upwards of 30 clauses; and yet, in a Bill of that extent and of such a serious nature, the alterations had been of the most insignificant character. The Opposition were rather exacting in raising a cry against the Government for this very small concession—a concession not made to popular Irish feeling, but to justice and decency.

Mr. STAVELEY HILL said, that the clause as it first stood was in the Act of 1833 under Lord Grey, and also in that of 1835. It was not true, therefore, to say that the power was a new one. It was absurd to say that a policeman could go on a winter afternoon—perhaps a considerable distance—and watch outside for the man whom he had followed until 8 o'clock in the morning. Escape would be easy in such circumstances, and it would be easy also in the meantime for the criminal to destroy all the *indicia* of crime. The House of Commons was bound to use its common sense in conjunction with the opinion and wish of the Lord Lieutenant in this matter.

MR. GEORGE RUSSELL said, he wished to enter his protest against one observation of his hon. Friend the Member for Bedford (Mr. Whitbread). He could not admit that it was a sign of political demoralization for individual Members of the Liberal Party to act on their own deliberately-formed judgment. Rather should he regard it as a sign of political demoralization if they were deterred from acting in conformity with that judgment, even by the ominous words with which the Prime Minister concluded his observations. It was to him a matter of most serious regret, even of pain, to have to differ from the Prime Minister, and he had many times deferred to his right hon. Friend's judgment. But with respect to that Amendment, he could not but express regret that the Government had not taken the larger powers for which they had originally asked. It was one of the strongest possible proofs of confidence in the Government that he and those Liberals who agreed with him were willing to intrust larger powers to the Government than were asked of them. It had been said that the House was bound to accept this alteration, because it had been agreed upon by the Viceroy and the Chief Secretary. He desired to give all honour to their judgment; but the Bill, as originally framed, was presumably brought forward with their consent. If they held at one time that the right of search at night was necessary, but had since changed their opinion, then every two months might bring about other see-saw changes, and three months hence the Irish Executive might desire to possess the powers with which they now proposed to dispense. The right to search at night was the very kernel of the Bill, as it gave the power of discovering evidence—namely, the weapons used in assassination and documents relating to the perpetration of crime. It appeared to him that night was the very time that would be chosen by murderers to arrange their weapons, or to conceal the documents that might be brought in evidence against them. Yet the Government said that at night time they would not interfere with the arrangements of the assassins. They would give them a close time for the propogation of future and the concealment of past murders, unless there was reason to suppose that an illegal meeting was being held. It appeared to him that a consultation of two or three desperate criminals, who were concocting a crime, could not be defined as a meeting of an illegal association; and yet it was a gathering which it was the first interest of justice to interfere with and to crush. In the earlier proceedings on this Bill touching pictures were drawn of the inconvenience which might arise and the irritation which might be caused by this provision. He ventured to say that of all policies there was no policy more futile than that of trying to conciliate by a single concession on a point of detail a mass of men who were resolutely opposed to the whole Government policy. On a previous occasion the hon. Member for the City of Cork (Mr. Parnell) spoke of a rural policeman turning over all the little properties of an innocent young man. Well, the policeman was *ad hoc* the representative of law and justice, while the young man was presumably an accomplice in murder, and the "little properties" to be turned over were the instruments and evidences of his crime. They had heard too much of the violation of the sanctity of the Irish peasant's home. How far had that sanctity been respected by "Captain Moonlight" and his agents? In Kerry, Limerick, and Clare, between October and March last, 12 crimes of violence and murder were perpetrated in men's own homes and by their own firesides, by far the greater proportion of which were committed by night. To confine the power of search to broad daylight was as unreasonable as the proposal that the police should always arrive in uniform, preceded by a band and banners, or the suggestion that every intended search of a private house should be notified beforehand to Parliament. After what had been said by the Prime Minister, he could not hope that Her Majesty's Government would change their attitude. He realized the binding effect of the right hon. Gentleman's engagement, and was persuaded that it was entered into in good faith and with the best intentions. But it could not be held to bind Members of the Liberal Party, who, after due deliberation, had arrived at the opposite conclusion. He should support his hon. Friend the Member for Oxfordshire—first, because he believed the change was undesirable in itself and highly inopportune in the present circumstances; secondly, because at the best it could only be nugatory, and because it might possibly be dangerous; and, lastly, because the alteration was virtually—though not in design and intention—a concession to that organization which had exercised an odious tyranny over the most defenceless sections of the Irish people, which had done its utmost to outvote and defeat the Liberal Government, and which had repeatedly insulted and defied the House of Commons.

Mr. BRAND said, his hon. Friend the Member for Aylesbury (Mr. G. Russell) had expressed the pain which he felt at finding it necessary to oppose the Government, and yet he put these words into the mouths of Her Majesty's Ministers—"We will have a close time for the preparation for future murders." He could not help thinking that his hon. Friend would have given more practical effect to his sense of pain by being a little more moderate in his language. He (Mr. Brand) had come down to the House for the purpose of supporting the hon. Member for Oxfordshire in his opposition to this Proviso; but he confessed that after hearing the Prime Minister's speech he had altered his intentions. He thought it unreasonable to force on the Government a power in restraint of liberty, when the Lord Lieutenant and the Cabinet had declared that they did not wish to have that power. This was the reason why he had changed his opinion, and why he should support the Government on the present occasion. At the same time, he wished the right hon. Gentleman would enlighten his supporters by telling them exactly the intention and meaning of the ominous remark he made in his speech. In his private opinion, it would be better if the clause remained as it was, because, after all, the Government and the Lord Lieutenant need not exercise this power unless they found it to be necessary; but if the Amendment were accepted, it would really prevent him exercising the limited powers which were given to him. At the same time, he recognized the fact, that if the Government said that the powers on restraint of liberty were not required, it would be an unreasonable thing for a supporter of the Government to oppose them on the matter.

Sir PATRICK O'BRIEN said, that allusion had been made all through the debate to the arrangement made by the Government in compliance with the feelings of Irish Members. He, in common with other hon. Members from Ireland on that side of the House, had endeavoured to impress on the Government the necessity for the alteration, for they believed that thereby they would derive the greatest amount of benefit with the least possible friction. Of all the powers that were contained in the various Coercion Acts, the one which gave the greatest irritation was this system of domiciliary night search. He was very much surprised that hon. Gentlemen opposite objected to the course taken by the Government, for in 1875, when the Conservative Party were in Office, they introduced into a Bill of this kind a clause containing the power of domiciliary night search. But, ultimately, they found it was not necessary, and it was withdrawn by the right hon. Gentleman the Member for Gloucester (Sir Michael Hicks-Beach), who was then the Chief Secretary for Ireland. If they were right then, with what face could they come forward and take up two hours in a bitter debate against the conduct of the Government, when in 1875 they pursued exactly the same course? Whilst they were considering the effect of this clause, he thought that they ought to consider also what would be the effect of it upon the law-abiding men in Ireland, and upon those who, with much difficulty, attempted, in the present excited state of that country, to maintain the banner of law and order. They had a large batch of men in Ireland, constituting the Executive, who were to carry out the provisions of this Bill in the teeth of the statement generally made from both sides of the House, that they ought not to carry out the smallest provision that was not actually necessary; and yet they actually wanted to force upon the Executive and upon the Government who had the administration of this Bill powers which they said were unnecessary for the repression of crime in Ireland. He, for one, much as he was disgusted by the outrages and gross misconduct that were unfortunately occurring in his country, would not submit or admit by his vote that such a course of proceeding was right or necessary. He agreed entirely with the remarks of the hon. Member for Bedford, and said, further, that it ill became any man calling himself a Liberal to force such repressive measures upon a Government that did not require them.

MR. LAMBTON said, the concluding words of the last speaker constituted an extraordinary proposition to be advanced by a Liberal politician, particularly after the haughty words of the Prime Minister. The section of the Liberal Party to which he and his family belonged had always held that the Government were the servants, and not the masters, of the country; and, as representing a constituency in this country, he felt it to be his duty to represent to the House and to the Government—whether they liked it or not—what he considered to be the proper course for the Government to pursue. If the majority of the House considered that it ought to confer powers in excess of those asked for by the Government, it was the duty of the majority to say so by its vote; and if the Government would not carry out the wish of the majority, it would be easy to obtain another Government that would. There was one thing which he thought every Liberal in the House ought to be ashamed to support, and that was the despotic authority which seemed to be exercised by the Government, and which was indicated by the remarks which they had heard from the Prime Minister that afternoon. The Beaconsfield Government was described as a despotism; but the remarks of the Prime Minister seemed to indicate that the Liberal Government had become one. He should exercise his right and vote against the Government, and he hoped that the whole House would vote without any consideration as to the particular Government in power, but for what was best for the government and the security of Ireland.

MR. ACLAND said, that, as he had not spoken in the House before, he wished to be allowed to say that he had been greatly impressed by the statement made on behalf of the Government, that they had changed their minds in consequence of representations made by the Lord Lieutenant after consultation with the best authorities in the disturbed districts. When such a statement was deliberately made on the responsibility of the Government, he felt bound to support them, and he should do so in the exercise of an independent judgment, and not on account of other language used by the Prime Minister. He was rather ashamed of the contention that the change ought not to be made because it was a concession. He should be glad to do anything in the way of giving relief from the intense repression of the measure, and he should gladly and cordially vote with the Government.

MR. JOHN BRIGHT: When I entered the House the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) was speaking, and after listening to his speech and to the one delivered by the hon. and gallant Member for West Sussex, who sits behind him (Sir Walter B. Barttelot), I came to the conclusion that there was something that excited hon. Members opposite to a very unusual degree. From what I have heard since I came into the House I conclude that what has excited them so much is not the condition of Ireland, but the condition of this House. Now, I think I know something about this question, so far as the Government are concerned in it, and I do not know that I should say more than I am permitted to say, when I state that when this Bill was first of all considered by a Committee of the Cabinet, the determination was not to insert a clause permitting the night search which is now so much insisted on by hon. Gentlemen. There was a difference of opinion, and I dare say on a good many points of an elaborate and difficult Bill like this there would be in any Cabinet or Committee some differences of opinion. But on that occasion the present Lord Lieutenant of Ireland, who was on that Committee, held the same opinion that he has now recently expressed, and I am able to give what appears to me a very sufficient reason for that opinion, and it is the reason that has from the first influenced my view of the question. I heard from many Irish Members, and I judged also from my consideration of the question, that there was scarcely anything in a measure of this kind that was likely to be more irritating and injurious in certain events than the proposition that constables should enter the houses, sometimes of perfectly innocent and quiet people, during the night time, to the disturbance of their rest and of their families. The House will remember this —that there are two sides to every question of repression. There were two sides to the question of the Bill of last year, and although it may be said to have been of great importance that the Lord Lieutenant and the Chief Secretary were able to shut up in prison 500, or 600, or 700 men—[An hon. MEMBER: Nine hundred.]—altogether it may have been 900 —on suspicion of offences against the Act; still, whatever good that did, we must all admit that a great deal of evil was inseparable from it, because it produced, and must necessarily produce, in thousands of families—because if there were 900 men in prison there must have been some thousands of families more or less connected with them—it must have produced irritation, and, perhaps, even an increased hostility to the Government and to the law. Well, those matters have to be weighed. You have the necessity on one side and the supposed advantage, and you have the injury and the disadvantage on the other. Well, I apply that argument to this case. It was considered deliberately and at great length what should be done with regard to this clause; and though there was some excited state of feeling, as everybody knows, at one time, after this matter was first considered, the clause, as it appears in the Bill, was finally argeed to. But there remained all the arguments against it which were used, which impressed the Committee, which brought the Committee to a different conclusion, the arguments which Lord Spencer then admitted to be weighty, and to which he now gives the greatest weight. There cannot be the least doubt, in my mind, that the advantages, whatever they may be, such as the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) attempted to picture, and such as the hon. Member for Aylesbury (Mr. G. Russell) described, and I think they have put them much higher than they really ought to be put; still, there is the disadvantage, that throughout the whole of Ireland, where this Bill may be put in force, men will feel—and, what is more, women will feel —that their houses may be entered at night time on the pretence, on the suspicion, on the barest suspicion, that there are to be found there inculpating letters or correspondence, or any of these things which are called the apparatus of murder. What you really want, and what this Bill is intended far more than anything else to give, is the power of access to the secret societies, which are at present the dominating influence for mischief in Ireland—and the clause, as proposed to be amended, would give the authorities power wherever they have an opinion—an honest belief from any circumstances—from lights in the windows at a late time at night, when most people are in bed, or from information received —to enter the house, and, if necessary, to arrest those persons concerned in that midnight and illegal meeting. Now, I shall ask the House to consider one other point. I know I am venturing very much in saying what I am about to say; but a large number of Irish Members who have been throughout opponents of this Bill, or of certain portions of it, happen to be, from circumstances which are unfortunate to them and unfortunate to us, now absent from the House. ["Oh, oh!"] Yes; I say from circumstances unfortunate to them and unfortunate to us. We are not in any degree responsible for their absence. That I admit. But it is reasonable to suppose that when the Government had consented to make the slight concession which is intended by this Amendment they gave full confidence to the Government, and they are not here to insist upon that which the Government had offered to them. I only present that to the House as a matter not entirely without consequence, and I think that throughout the whole of Ireland it will be found that if the House of Commons is determined to make the law severe beyond what the Government have proposed, the effect on Irish opinion will be, on the whole, unfortunate and injurious. I have nothing more to say than this—that I hold the opinion now that I held on the first consideration of this clause, that the irritation you are about to promote is one that will have no compensation in the advantages you get from the increased severity of the clause; and therefore I, on the part of myself strongly, and on the part of my Colleagues, would advise the House to be contented with that amount of severity and that amount of extra power which the Cabinet in this country and the Executive Government in Ireland believe to be effectual for the purposes of this Bill.

Sir MICHAEL HICKS-BEACH: Sir, after the remarkable speech which we have heard from the right hon. Gentleman (Mr. John Bright), I think there are two or three things which ought to be said. I have always supposed that there was one thing pretty well established, and that was that Cabinet secrets should not be disclosed except upon the resignation of a Minister and with the authority of the Queen. But I am not disposed to blame the right hon. Gentleman for transgressing this rule on the present occasion; for now we know — what we have long suspected—that there have been in Her Majesty's Cabinet two parties; one party determined to do all that might be necessary to maintain law and order in Ireland, and the other party trying at every step to trip them up and interfere with them.

Mr. JOHN BRIGHT: The right hon. Gentleman has made that observation as an answer—as an answer which he thinks necessary—to what I have said; but I beg to tell him that there is not the slightest foundation for the statement.

Sir MICHAEL HICKS-BEACH: There is this foundation — the statement of the right hon. Gentleman, that there were differences of opinion in the Cabinet upon this vital question, whether this clause should be made effective in its working or not; and what I should like to know, if we may have a few more disclosures, is this—which side the right hon. Gentleman the Prime Minister took in the conflict? I say, Sir, that if this clause is to be made effective in its work it must remain in its present form. I attach as much importance as any hon. Member in this House to the feeling that may be caused in Ireland by clauses of this description. I know there is a strong and very natural feeling against giving this kind of power to Inspectors and Sub-Inspectors of making domiciliary visitation. When I was Secretary to the Lord Lieutenant in 1874-5, the hon. Baronet opposite (Sir Patrick O'Brien) is quite right in saying that I mitigated the existing law in this respect. Why did I do so? I did so because, as everybody knows, the state of Ireland then warranted that mitigation. Ireland now is, as I ventured to say last night, honeycombed with secret societies; and I trust that this House, if they are to enact legislation of this nature at all, will at least take care that in enacting it they make it effective, and that they do not create irritation without carrying out the objects they have in view. In my opinion, the better mind of the Government in this matter is that which was expressed in the determination at which they originally arrived; and therefore I trust that this mind will be carried out, and that the clause, as it now stands in the Bill, will be supported by the judgment of the House.

Question put.

The House *divided*:—Ayes 194; Noes 207: Majority 13.

AYES.

Acland, C. T. D.
Acland, Sir T. D.
Agnew, W.
Ainsworth, D.
Allman, R. L.
Anderson, G.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Balfour, J. B.
Barnes, A.
Barran, J.
Bass, Sir A.
Bass, H.
Baxter, rt. hon. W. E.
Bolton, J. C.
Brand, H. R.
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brooks, M.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Buchanan, T. R.
Burt, T.
Buszard, M. C.
Cameron, C.
Campbell, Lord C.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. R.
Causton, R. K.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, right hon. H. C. E.
Collings, J.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowen, J.
Craig, W. Y.
Cropper, J.
Cross, J. K.
Crum, A.
Cunliffe, Sir R. A.
Currie, Sir D.
Davey, H.
Davies, W.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodson, rt. hon. J. G.
Duff, R. W.
Edwards, H.
Egerton, Adm. hon. F.
Errington, G.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Findlater, W.
Firth, J. F. B.
Foljambe, C. G. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fowler, H. H.
Fry, T.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Gourley, E. T.
Grafton, F. W.
Grant, A.
Grant, D.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hayter, Sir A. D.
Henderson, F.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.

Holland, S.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Howard, G. J.
Illingworth, A.
James, C.
James, Sir H.
Jardine, R.
Jenkins, D. J.
Jenkins, Sir J. J.
Johnson, W. M.
Kinnear, J.
Labouchere, H.
Laing, S.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lee, H.
Lefevre, right hon. G. J. S.
Lubbock, Sir J.
M'Arthur, A.
M'Clure, Sir T.
M'Coan, J. C.
Macfarlane, D. H.
M'Intyre, Æneas J.
M'Kenna, Sir J. N.
Mackie, R. B.
Mackintosh, C. F.
M'Laren, C. B. B.
M'Minnies, J. G.
Magniac, C.
Mappin, F. T.
Marjoribanks, E.
Mason, H.
Matheson, Sir A.
Meldon, C. H.
Milbank, Sir F. A.
Monk, C. J.
Morgan, rt. hn. G. O.
Morley, A.
Mundella, rt. hn. A. J.
Noel, E.
O'Brien, Sir P.
O'Donoghue, The
O'Gorman Mahon, Col. The
O'Shaughnessy, R.
Otway, Sir A.
Paget, T. T.
Palmer, C. M.
Palmer, J. H.
Parker, C. S.
Pease, A.
Pease, Sir J. W.
Peddie, J. D.
Playfair, rt. hon. L.
Porter, A. M.
Potter, T. B.
Powell, W. R. H.
Pulley, J.
Ramsay, J.
Rathbone, W.
Richard, H.
Richardson, T.
Roberts, J.
Rogers, J. E. T.
Rothschild, Sir N. M. de
Rylands, P.
St. Aubyn, Sir J.
Samuelson, B.
Samuelson, H.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Shield, H.
Simon, Serjeant J.
Slagg, J.
Stanley, hon. E. L.
Stevenson, J. C.
Stewart, J.
Storey, S.
Summers, W.
Talbot, C. R. M.
Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Torrens, W. T. M'C.
Trevelyan, rt. hn. G. O.
Vivian, A. P.
Webster, J.
Wedderburn, Sir D.
Whitbread, S.
Williams, S. C. E.
Williamson, S.
Wills, W. H.
Willyams, E. W. B.
Wilson, C. H.
Wilson, I.
Wilson, Sir M.
Wodehouse, E. R.
Woodall, W.

TELLERS.

Grosvenor, Lord R.
Kensington, Lord

NOES.

Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Beaumont, W. B.
Bentinck, rt. hon. G. C.
Biddulph, M.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, rt. hon. R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brooks, W. C.
Bruce, Sir H. H.
Bruce, hon. T.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burnaby, General E. S.
Burrell, Sir W. W.
Buxton, F. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, J. A.
Carden, Sir R. W.
Cecil, Lord E. H. B. G.
Christie, W. L.
Clive, Col. hon. G. W.
Coddington, W.
Collins, T.
Coope, O. E.
Corbett, J.
Corry, J. P.
Cotton, W. J. R.
Creyke, R.
Crichton, Viscount
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Dalrymple, C.
Davenport, H. T.
Davenport, W. B.
Dawnay, hon. G. C.
De Worms, Baron H.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Dundas, hon. J. C.
Dyke, rt. hn. Sir W. H.
Eaton, H. W.
Ecroyd, W. F.
Egerton, hon. W.
Elliot, Sir G.
Elliot, G. W.
Emlyn, Viscount
Ewart, W.
Ewing, A. O.
Fairbairn, Sir A.
Feilden, Major-General R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Ffolkes, Sir W. H. B.
Filmer, Sir E.
Finch, G. H.
Fitzmaurice, Lord E.
Fitzpatrick, hn. B. E. B
Fitzwilliam, hon. H. W.
Fitzwilliam, hon. W. J.
Flower, C.
Floyer, J.
Foljambe, F. J. S.
Folkestone, Viscount
Forester, C. T. W.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Galway, Viscount
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goldney, Sir G.
Grantham, W.
Greene, E.
Greer, T.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Heneage, E.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, A. S.
Hinchingbrook, Visc.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Hubbard, rt. hon. J. G.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lambton, hon. F. W.
Lawrence, Sir T.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, hon. G. H. C.
Leigh, R.
Leighton, S.
Levett, T. J.
Lewisham, Viscount
Lindsay, Sir R. L.
Long, W. H.
Lowther, hon. W.
Macartney, J. W. E.
M'Garel-Hogg, Sir J.
Mac Iver, D.
Macnaghten, E.
Makins, Colonel W. T.
Master, T. W. C.
Miles, Sir P. J. W.
Miles, C. W.
Mills, Sir C. H.
Monckton, F.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Muntz, P. H.
Murray, C. J.
Newdegate, C. N.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
Onslow, D.
Patrick, R. W. Cochran-
Peek, Sir H. W.
Peel, A. W.
Pell, A.
Pender, J.
Percy, Earl
Percy, Lord A.
Phipps, C. N. P.
Plunket, rt. hon. D. R.
Portman, hn. W. H. B.
Price, Captain G. E.
Raikes, rt. hon. H. C.
Ramsden, Sir J.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ross, A. H.

Ross, C. C.
Round, J.
Roundell, C. S.
St. Aubyn, W. M.
Schreiber, C.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Smith, A.
Smith, rt. hon. W. H.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Stanley, E. J.
Sykes, C.
Talbot, J. G.
Taylor, rt. hn. Col. T. E.
Thomson, H.
Thornhill, T.
Tollemache, H. J.
Tollemache, hon. W. F.
Tottenham, A. L.
Tyler, Sir H. W.
Wallace, Sir R.
Walpole, rt. hon. S.
Walrond, Col. W. H.
Warburton, P. E.
Warton, C. N.
Watkin, Sir E. W.
Watney, J.
Whitley, E.
Wilmot, Sir H.
Wilmot, Sir J. E.
Winn, R.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Wyndham, hon. P.
Yorke, J. R.

TELLERS.
Cartwright, W. C.
Russell, G. W. E.

MR. GLADSTONE: Under any ordinary circumstances, Sir, I should, after a division such as that which has just taken place, have requested the House to postpone further proceeding with this Bill; but under the remarkable circumstances of Ireland, and in view of the peculiar character of this Bill, I do not think it right on this occasion to take that course. We shall, therefore, without prejudice to anything that has been said during the debate, ask the House to go on to-night with the consideration of the Bill at 9 o'clock.

SIR STAFFORD NORTHCOTE: I suppose that the Arrears Bill will not be taken to-night. [An hon. MEMBER: Why not?]

MR. GLADSTONE: We should have been very glad to reserve any chance of bringing forward that Bill to-night under normal circumstances; but, apart from what has now happened, it is strictly, I think, in the power of hon. Members opposite, if they are so disposed, to require that the Arrears Bill shall not be taken until the commencement of the Sitting on Monday.

And it being ten minutes before Seven o'clock, Further Proceeding on Consideration stood adjourned till *this day*.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MR. LABOUCHERE moved, in page 8, line 4, at end of clause, to add—

> "The police conducting the search shall be bound to replace, in the same order as they found them, any articles that may be disturbed, or to make good anything damaged or destroyed in the course of their search."

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, he thought the Amendment might be accepted in this form—

> "The police conducting a search shall be bound to make good any damage needlessly caused in the course of their search."

MR. ONSLOW asked who would decide whether the damage had been caused needlessly or not?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the question of the needlessness of the damage must be left to a jury in each case.

MR. GIBSON thought that, if the matter was to be entertained, it ought to be left to the Lord Lieutenant or some special tribunal. As it was better to settle all difficulty connected with the administration of this clause now, perhaps the Government would submit some words.

SIR WILLIAM HARCOURT said, he could not see his way out of the difficulty. It would, of course, be just that no man's property should be unnecessarily damaged, and a provision of this sort would tend rather to strengthen the clause than weaken its effect. However, he thought that the giving of power to the Lord Lieutenant to compensate for damage would involve the re-committal of the Bill, which would be most undesirable. He appealed to the Speaker on the subject.

MR. SPEAKER said, that the Amendment appeared to him to involve a possible tax upon the police rates of Ireland, the whole of which were voted by the House; and, therefore, the Amendment could not now be put.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

Clause 15 (Application of Alien Act to aliens).

MR. TREVELYAN moved, at the end of the clause, to insert the words—

> "Provided as follows:—
>
> (1.) For the purposes of construction the Act mentioned in this section shall be deemed to have been passed at the date of the passing of this Act, and expres-

sions in the said Act referring to its commencement or passing shall be construed accordingly, but section seven of the said Act, providing for its duration, shall be of no effect;

(2.) An alien convicted of a misdemeanour under section two of the said Act shall be treated as a misdemeanant of the first class or division;

(3.) The place in which any examination of witnesses, or hearing of a case before the Lords of the Privy Council, in pursuance of section three of the said Act, is held, shall be an open court;

(4.) The said Act shall extend to the Isle of Man in like manner as if that isle were declared by the said Act to form part of Great Britain."

Question proposed, "That those words be there inserted."

Mr. LABOUCHERE moved to leave out "misdemeanant of the first class," in order to insert "untried prisoner," on the ground that it was not reasonable that an alien taken up under the Act should be subjected to any punishment, but only kept in safe custody. He did not feel strongly on the subject, and only proposed the Amendment because he believed it was in accordance with the wishes of the absent Irish Members. His object was to have the aliens treated as well as possible.

Amendment proposed to the said proposed Amendment,

In line 7, to leave out the words "a misdemeanant of the first class or division," in order to insert the words "an untried prisoner." —(*Mr. Labouchere.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

Mr. TREVELYAN pointed out that an alien under the second provision was not an untried prisoner. He was glad the hon. Member had not strong views on the subject, and hoped the Amendment would not be pressed.

Mr. MAC IVER remarked that the Amendment raised the question whether the punishment was to be real or not. The conduct of the aliens might lead to crime and outrage.

Mr. TREVELYAN did not think there could be any doubt of the reality of the punishments under the Act, as they ranged from capital punishment, through penal servitude for life, down to imprisonment with hard labour.

Mr. GRANTHAM asked why the Channel Islands were not included as well as the Isle of Man?

Sir WILLIAM HARCOURT said, the situation of these islands did not make it necessary to include them, as it did in the case of the Isle of Man, which lay exactly on the way from England to Ireland.

Amendment to proposed Amendment, by leave, *withdrawn.*

Original Question again proposed.

Mr. LABOUCHERE said, he begged to move a further Amendment, that the Act should only apply to aliens who have not been residing within the Realm for two years next before the passing of this Act. He reminded the Government that a promise was given to consider the matter.

Amendment proposed to said proposed Amendment,

To insert, at end of sub-section (4), the words "but the said Act shall only apply to aliens who have not been residing within this realm for two years next before the passing of this Act."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, it was true he had promised to consider this matter, and also to consult the Irish Government. This had been done, and the Irish Government were of opinion that it would be unsafe to reduce the period to two years. The foreign operations which necessitated this provision began in 1879, so that the period mentioned in the clause would cover it.

Mr. JOSEPH COWEN begged to remind the right hon. and learned Gentleman that the Fenian organization commenced not two years ago, but some 16 or 17 years ago.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Words *inserted.*

Mr. ARTHUR ARNOLD moved an Amendment providing that the powers given by the Alien Act shall be exercised in accordance with the Preamble of the present Bill. He was informed by several eminent lawyers that the Preamble had no governing or controlling power over this clause of the Act, and unless it had, the Government might be drawn into very serious complications with foreign countries by the expulsion of refugees from these shores. He would remind the House that on a previous occasion the Alien Act had been made use of for the purpose of expelling refugees, such as Lady Edward Fitzgerald, the wife of an Irish patriot rebel, who, however, was expelled not on account of her relation to her husband, but because she was known to sympathize with the revolutionary movement in France.

Amendment proposed,

At end of the foregoing Amendment, to insert the words "Provided that the powers of 'The Alien Act, 1848,' shall be exercised only in accordance with the preamble of this Act."—(*Mr. Arthur Arnold.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he could not accept the Amendment, and believed it would not have the effect desired by his hon. Friend. It would restrict the operation of the Alien Act to matters arising solely in Ireland, and that was what the House determined should not be done. One of the avowed objects of the conspiracy was to overthrow the Government of this country; therefore, it would not be desirable to introduce such a provision as this.

Mr. WARTON said, with reference to a remark of the hon. Member for Salford (Mr. Arthur Arnold), he (Mr. Warton) would show his Christian forgiveness by advising the hon. Member that the next time——

Mr. SPEAKER: The hon. and learned Member's advice is not relevant to the Bill.

Mr. HOPWOOD said, he thought something like the Amendment was necessary to relieve them from the disgrace of being without a complete answer to anyone who, in the name of a foreign tyrannous Government, demanded the expulsion of some refugee from Ireland. That complete answer existed at present—namely, that there was no English law by which aliens could be expelled.

Mr. TREVELYAN said, he did not think it would conduce to the peace or tranquillity of any Government who used the Alien Act for the purpose of expelling from our shores any alien who was inconvenient to a foreign Government. The Act was for the purpose of expelling from our shores those who were inconvenient to England; and as to the contention that we should lose the proud position of being an asylum, it should be remembered that we were an asylum for political refugees, but not an asylum in the sense that Rome was, to receive all the robbers and murderers that might be sent here. They had got beyond that stage, he was glad to say, of national development.

Mr. JOSEPH COWEN asked if the power would enable the Government to expel a man whom a foreign Government considered to be dangerous to the peace and tranquillity of such foreign Government?

Sir WILLIAM HARCOURT said, the only power given under the Bill was that of expelling those who were considered dangerous to the peace and tranquillity of this Realm.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 16 (Power of justices to summon witnesses).

On the Motion of Mr. Trevelyan, Amendment made in page 9, line 15, by leaving out "the," and inserting "a."

Mr. LABOUCHERE moved to insert in line 22, after "recognizance," the words "not exceeding fifty pounds," his object being to apply the same principle that was allowed to persons suspected of crimes mentioned in a former clause, to witnesses who had been committed to prison for fear that they would run away, or other reasons.

Amendment proposed, in page 9, line 22, after the word "recognizance," to insert the words "not exceeding fifty pounds."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, that this matter of witnesses stood on a very different footing. Nothing would be more important than to take care of witnesses in serious cases. To a man to whom it might be inconvenient to attend upon the trial, or who might think it desirable to be out of the way, a recognizance of £50 would be totally insufficient. They had many examples of this.

Amendment, by leave, *withdrawn.*

Mr. TREVELYAN moved to add at the end of the clause the following subsections:—

"(2.) An offence for the purposes of this section means any felony or misdemeanour, and also any offence against this Act, with the exception of the offences specified in sections ten and eleven of this Act.

(3.) A person summoned to appear under this section shall not be excused from answering any question on the ground that the answer thereto may criminate, or tend to criminate, himself, but any statement made by any person in answer to any question put to him on any examination under this section shall not, except in case of an indictment or other criminal proceeding for perjury, be admissible in evidence against him in any proceeding civil or criminal.

(4.) A magistrate who conducts the examination, under this section, of a person concerning any offence, shall not, if such offence is punishable on summary conviction, take part in the hearing and determination of a charge for that offence, and shall not, if such offence is an indictable offence, take part in the committing for trial of such person for such offence."

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 17 (Power of apprehending absconding witnesses).

MR. TREVELYAN moved, in page 9, line 36, to leave out from the beginning of the line to "Provided," in line 37, and insert "unless in the meantime he produces sufficient sureties."

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Words *inserted.*

Clause, as amended, *agreed to.*

(Clause 18 (Additional constabulary force).

MR. LABOUCHERE moved, in page 10, line 16, to insert, after "Lieutenant," "such account shall thereafter be presented to Parliament."

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, that the account would be published in *The Dublin Gazette,* and the Amendment was, therefore, unnecessary.

Amendment, by leave, *withdrawn.*

MR. TREVELYAN moved, in page 10, line 21, at the end, to insert as a new paragraph—

"Provided, That if the district is in a county where the number of constabulary is, after allowing for vacancies arising from death, absence on leave, absence from illness, or other like cause, deficient as compared with the quota for that county, and additional constabulary are employed, under this section, in the county, a charge under this section shall not be made in respect of such number of the additional constabulary as is equal to the number required for the time being to make up the said deficiency."

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 19 (Power of Lord Lieutenant as to compensation to be paid in certain cases of murder or maiming).

MR. GIBSON moved, in page 10, line 28, to leave out the word "otherwise." The aim of his Amendment was to give wider powers of awarding compensation than were given in the section. As the section stood, the Lord Lieutenant was empowered to award compensation in cases of murder, maiming, and personal injury. But it did not touch "Boycotting," which was a system of criminal terrorism to ruin a man materially, and sometimes even physically. In the cases of murder and maiming it was often a difficult question to ascertain the degree of complicity on the part of the neighbourhood. But there was no question of the kind in "Boycotting," which was essentially a combination of a man's neighbours against him. He often received letters containing descriptions of the diabolical character of the system. He had recently received one letter which gave a case where a man had been driven to madness by the system, and was confined in a lunatic asylum. In another case the Land League would not permit a farm to be occupied, although the previous tenant had voluntarily given up possession. The Attorney General for Ireland had said that the Amendment was obviatedby the Grand Jury Acts. But those Acts only applied to certain specified cases, and were hampered by many restrictions. Besides, the associated cesspayers who sat at Baronial Presentment Sessions might be taken out of the very class who practised the system which he was desirous to see put down. It was said that it would be difficult to assess the compensation in cases of "Boycotting." No doubt, in many cases, it was so. But there were other cases where the question was as demonstratable as a proposition of Euclid, and there could be no difficulty when a man could prove that he had been utterly ruined. It was absolutely necessary, if "Boycotting" was really to be grappled with, and to be confronted by the Executive, to say—"We will take powers that will enable us both to punish criminally those who 'Boycott,' and which will enable us to rehabilitate out of some pocket to some extent, according to the discretion of the Lord Lieutenant, the pecuniary position of the man who has been ruined by the direct action of his immediate neighbours."

Amendment proposed, in page 10, line 28, to leave out the word "otherwise."—(*Mr. Gibson.*)

Question proposed, "That the word 'otherwise' stand part of the Bill."

SIR WILLIAM HARCOURT said, he could assure the right hon. and learned Gentleman that it was not by undervaluing in any respect the crime of "Boycotting" that the Government had approached this question. Nothing that the right hon. and learned Gentleman had said, or that could be said, was too strong to reprobate that cowardly and wicked practice. But if these clauses were to be used at all the House must take care not to overweight them. There was an old saying that half was better than the whole, and they might go too far in this matter. The burdens on a district might be made so onerous that it would be impossible for any Government to put them into operation. These two clauses would impose charges which, unfortunately, in the present state of Ireland, would be very heavy for extra Constabulary and for compensation in cases of murder, maiming, and other injuries.

MR. GIBSON said, that all the charges would not fall on the same localities at the same time.

SIR WILLIAM HARCOURT said, that might be so. But there was to be a retrospective action of two years with reference to these injuries and maimings, and the clauses might be made so onerous and so oppressive that no Government would be able to work them. In addition to the charges he had named it was proposed to open the vast question of injuries to property and to occupation. Everyone must perceive that the Amendment, especially if it had reference to the last two years, might lead to exaggerated and even fraudulent claims being preferred. If they were to go back two years in order to examine how far a man had been injured in his occupation, all sorts of demands might be made with which it would be impossible to deal.

MR. GIBSON said, he was willing to make the Amendment prospective only, if that would remove the right hon. and learned Gentleman's objection.

SIR WILLIAM HARCOURT said, that would only partially remove it. The right hon. and learned Gentleman had frankly admitted that these questions were of a very difficult and complex character; but he had a still stronger objection to the proposal than that. It was the same objection which he urged when the right hon. and learned Gentleman placed an Amendment almost identical with the present on the Paper. The right hon. and learned Gentleman would admit, he believed, that that objection had great force. If this heavy additional burden were imposed, the Government would not carry with them the same weight of public opinion with reference to property that they would do with reference to life and limb. This, to his mind, speaking from a political point of view, was a statesmanlike consideration which was very well deserving of weight. This was one of the clauses which would be extremely operative; but it was, no doubt, a clause the burden and pinch of which would be severely felt; and, therefore, it was necessary that they should carry with them in the operation of the clause as large a support from public opinion in Ireland as they could possibly get. In his judgment, if, in addition to the security and compensation which they proposed to give to life and limb by the clause as it stood, they were to expand it so as to include the various claims as to property and occupation, they would weaken the support of public opinion which for the graver offences it would be likely to command. These were the reasons why the Government adhered to the clause as originally framed, and for these reasons he could not accept the Amendment.

MR. BULWER said, that the Home Secretary objected to the Amendment, not on principle, but solely on political grounds. In his opinion, this would be a less unjust, if not a less onerous charge on a district than the compensation in respect of murders, maiming, and other injuries. The persons committing those offences might be strangers to a district, and the public opinion to which the Home Secretary appealed might reasonably think it hard that a district should be fined for acts which the inhabitants of it could not prevent; whereas "Boycotting" was an offence which the inhabitants of any district could prevent, inasmuch as a man could not be "Boycotted" except by the concurrence of a considerable number of his neighbours. The claims that might be preferred could be as easily settled as claims made against Railway Companies for compensation.

Mr. SPEAKER said, that, as the proposed Amendment would extend the compensation from personal injury to damaged property, it would involve an increased charge upon the taxpayers, which must first be proposed in Committee, for which it would be necessary to re-commit the Bill.

Mr. GIBSON said, he would consider whether he could adopt any other course, and, for the present, must necessarily withdraw the Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. Trevelyan, Amendments made, in page 10, line 31, by leaving out "a claim," and inserting "an application;" in page 10, line 32, after "may," by inserting "if he thinks fit after giving public notice in the district in the prescribed manner;" in page 10, line 34, by leaving out "claim," and inserting "application;" in page 10, line 35, by leaving out from "parties," to "whom," in line 36; in page 10, line 38, after "thereon," by inserting "the parties shall be heard personally or by counsel, and the evidence taken on oath in open court;" in page 11, line 2, after such," by inserting "public;" in page 11, line 5, after "be," by inserting "in the prescribed form and shall be;" in page 11, line 12, by leaving out "claim," and inserting "application;" in page 11, line 16, after "order," by inserting—

"And shall be paid to the personal representative of the person murdered, or to the person maimed or injured, or if he is dead to his personal representative;"

and in page 11, line 17, by leaving out "claims," and inserting "applications."

Mr. LABOUCHERE moved, in page 11, line 18, to leave out "or one of the next of kin."

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, it was one thing to claim and another to obtain, and the claimant would have to prove that he was entitled to receive.

Question put, and *agreed to.*

Mr. LABOUCHERE moved, in page 11, at the end of the clause, to insert the words—

"Copy of the said warrant, order, and report shall be laid before Parliament within one month after it is issued or made, if Parliament be sitting, and, if not, within one month of the next meeting of Parliament, and the evidence taken under this section shall be open to the public for inspection in the prescribed manner."

Question proposed, "That those words be there inserted."

Mr. TREVELYAN said, he thought it would be most inconvenient to have these Reports, which were in the highest degree confidential, laid before Parliament.

Question put, and *negatived.*

On the Motion of Mr. Trevelyan, Amendments made, in page 11, at end, by adding, as new sub-sections—

"(6.) This section shall not apply to any cases of murder, maiming, or injury which have occurred before the first day of June, one thousand eight hundred and eighty.

"(7.) Where the act causing the murder, maiming, or injury has occurred since the passing of this Act, an application for compensation under this section shall not be entertained unless it is made within three months after the occurrence of the act causing the murder, maiming, or injury.

"(8.) Where the act causing the murder, maiming, or injury has occurred before the passing of this Act an application for compensation under this section shall not be entertained unless it is made within three months after the passing of this Act."

Clause, as amended, *agreed to.*

Clause 20 (Description of district and provision as to raising charge).

On the Motion of Mr. Trevelyan, Amendments made, in page 12, line 1, before "such," by inserting "portion of;" in page 12, line 2, after "warrant," by inserting "for collection;" and in page 12, line 8, at end of clause, by inserting—

"Every warrant imposing a charge upon a district in respect of such additional constabulary or such compensation as aforesaid, shall specify the time during which it is to remain in force, and shall be in the prescribed form and shall be published in the prescribed manner, and a copy of every such warrant shall be laid before Parliament within one month after the date of the warrant, if Parliament is then sitting, and, if not, within one month after the next meeting of Parliament, together with a statement showing the following particulars, in cases where such particulars do not appear in the warrant; that is to say, the valuation of the district proposed to be charged; the number of instalments by and the time within which the charge is to be raised; the poundage rate necessary for raising the same; and the grounds upon which the district has been charged."

Clause, as amended, *agreed to.*

Clause 22 (Summary procedure for offences under Act).

On the Motion of Mr. TREVELYAN, Amendment made, in page 12, line 28, after "procedure," by inserting "including the enforcing of the attendance of witnesses for the defence."

Clause, as amended, *agreed to.*

Clause 24 (Supplemental provisions as to proclamations and orders).

On the Motion of Mr. TREVELYAN, Amendments made in page 14, line 13, after "Lieutenant," by inserting "but;" in page 14, line 14, after "council," by inserting "where a proclamation or order has been made by and with such advice;" and in page 14, line 34, after "promulgated," by inserting "and in the case of an order that it has been duly made."

Clause, as amended, *agreed to.*

Clause 28 (Rules of procedure in Schedule).

On the Motion of Mr. TREVELYAN, Amendment made, in page 18, line 30, before "Schedule," by inserting "First."

Clause, as amended, *agreed to.*

Clause 29 (Allowances to Judges, witnesses, and others).

On the Motion of Mr. TREVELYAN, Amendment made, in page 18, line 35, after "judges," by inserting "and."

Clause, as amended, *agreed to.*

Clause 30 (Rules of procedure and matters to be prescribed).

On the Motion of Mr. TREVELYAN, Amendment made, in page 19, line 30, after "shall," by inserting "be judicially noticed and."

Clause, as amended, *agreed to.*

Clause 35 (General definitions).

On the Motion of Mr. TREVELYAN, Amendment made, in page 21, line 15, after "Ireland," by inserting "other than the judicial commissioner of the Irish Land Commission."

Clause, as amended, *agreed to.*

On the Motion of Mr. TREVELYAN, Amendments made in Schedule 1, page 22, line 4, after "sentenced," by inserting "by the Special Commission Court;" in page 22, line 27, by leaving out "convicted or;" in page 22, line 33, by leaving out "evidence," and inserting "witness;" and in page 23, at end, by inserting the following Schedule as Third Schedule:—

Third Schedule.
Alien Act.
Copy of Act referred to.
Anno Undecimo
Victoriæ Reginæ.
Cap. xx.

An Act to authorise for One Year, and to the End of the then next Session of Parliament, the Removal of Aliens from the Realm. [9th June 1848.]

(Power to Secretary of State or Lord Lieutenant of Ireland to order Aliens to depart this Realm.—If Aliens wilfully refuse to obey such Order, they may be committed to Gaol until taken in charge for the purpose of being sent out of the Realm.)

Whereas it is expedient, for the due Security of the Peace and Tranquillity of this Realm, that Provision should be made, for a Time to be limited, respecting Aliens arriving or resident in this Kingdom: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when and so often as One of Her Majesty's Principal Secretaries of State in that Part of the United Kingdom called Great Britain, or the Lord Lieutenant or other Chief Governor or Governors in that Part of the United Kingdom called Ireland, shall have Reason to believe, from Information given to him or them respectively, in Writing, by any Person subscribing his or her Name and Address thereto, that for the Preservation of the Peace and Tranquillity of any Part of this Realm it is expedient to remove therefrom any Alien or Aliens who may be in any Part of this Realm, or who may hereafter arrive therein, it shall be lawful for such Secretary of State in that Part of the United Kingdom called Great Britain, and for such Lord Lieutenant or other Chief Governor or Governors in that Part of the United Kingdom called Ireland, by Order under his or their Hand or Hands respectively, to be published in the London or Dublin Gazette, as the Case may be, to direct that any such Alien or Aliens who may be within Great Britain or Ireland respectively, or who may hereafter arrive therein, shall depart this Realm, within a Time limited in such Order; and if any such Alien shall knowingly and wilfully refuse or neglect to pay due Obedience to such Order, or shall be found in this Realm or any part thereof, contrary to such Order, after such Publication thereof as aforesaid, and after the Expiration of the Time limited in such Order, it shall be lawful for any of Her Majesty's Principal Secretaries of State, or for the Lord Lieutenant or other Chief Governor or Governors of Ireland, or his or their Chief Secretary, or for any Justice of the Peace, or for the Mayor or Chief Magistrate of any City or Place, to cause every such Alien to be arrested, and to be committed to the Common Gaol of the County or Place where he or she shall be so arrested, there to remain, without Bail or Mainprize, until he or she shall be taken in charge for the Purpose of being sent out of the Realm, under the Authority hereinafter given.

(Penalty on Aliens disobeying such Order.)

II. And be it enacted, That every such Alien so knowingly and wilfully refusing or neglecting to pay due Obedience to any such Order as aforesaid shall be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court, be adjudged to suffer Imprisonment for any Time not exceeding One Month for the First Offence, and not exceeding Twelve Months for the Second and any subsequent Offence.

(Aliens on neglecting to obey Order may be given in charge by Warrant of Secretary of State or Lord Lieutenant of Ireland, to be conveyed out of the Kingdom.—Where any Alien shall allege any Excuse for not complying with Order, Privy Council to judge of the Sufficiency of the same.—Privy Council shall cause a Summary of Matters alleged against Alien to be delivered to him, &c.)

III. And be it enacted, That it shall be lawful for any One of Her Majesty's Principal Secretaries of State, or the Lord Lieutenant or Chief Governor or Governors of Ireland, in any Case in which any Alien shall be found in this Realm after the Expiration of the Time limited in such Order, and whether he or she shall or shall not have been arrested or committed for Refusal or Neglect to obey such Order, or convicted of such Refusal or Neglect, and either before or after such Alien shall have suffered the Punishment inflicted for the same, by Warrant under his Hand and Seal, to give such Alien in charge to One of Her Majesty's Messengers, or to any other Person or Persons to whom he shall think proper to direct such Warrant, in order to such Alien being conveyed out of the Kingdom; and such Alien shall be so conveyed according: Provided always, that where such Alien (not having been convicted as aforesaid) shall allege any Excuse for not complying with such Order, or any Reason why the same should not be enforced, or why further time should be allowed him or her for complying therewith, it shall be lawful for the Lords of Her Majesty's Privy Council in Great Britain or in Ireland, as the Case may be, to judge of the Sufficiency of such Excuse or Reason, and to allow or disallow the same either absolutely or on such Condition as they shall think fit; and where such Alien shall be in Custody under such Warrant of any of Her Majesty's Secretaries of State or of the Lord Lieutenant or other Chief Governor or Governors of Ireland as aforesaid, the Messenger or other Person in whose Custody he or she shall be, forthwith upon its being signified to him that such Excuse or Reason is alleged by such Alien, shall make known the same to such Secretary of State, or to the Lord Lieutenant or other Chief Governor or Governors of Ireland, as the Case may be, who, upon receiving such Notification, or in any Case in which he or they shall be informed that any such Excuse or Reason is alleged by or on behalf of any Alien to quit the Realm, shall forthwith suspend the Execution of such Warrant until the Matter can be inquired into and determined by the said Lords of Her Majesty's Privy Council; and such Alien, if in Custody under any such Warrant, shall remain in such Custody, or if not in Custody may be given in charge by any such Warrant as aforesaid, and shall remain in Custody until the Determination thereon shall be made known, unless in the meantime such Secretary of State, or the Lord Lieutenant or other Chief Governor or Governors of Ireland shall consent to or the said Lords shall make Order for the Release of such Alien, either with or without Security: Provided always, that the Lords of Her Majesty's Most Honourable Privy Council shall cause to be delivered to such Alien, in Writing, a general Summary of the Matters alleged against him or her, and shall allow him or her reasonable time to prepare his or her Defence; and that it shall be lawful for him or her to summon and examine upon Oath Witnesses before the said Lords of Her Majesty's Most Honourable Privy Council, and to be heard before them, by himself or herself, or his or her Counsel, in support of the Excuse or Reason by him or her alleged.

(Judges may admit Aliens to Bail in all Cases, if they see sufficient Cause.)

IV. Provided always, and be it enacted, That in every case in which Power is given by this Act to commit any Alien to Gaol without Bail or Mainprize it shall and may be lawful for any Justices of Her Majesty's Courts of Record at Westminster or in Dublin, or for any of the Barons in Great Britain or Ireland, being of the degree of the Coif, or for the Lord Justice Clerk or any of the Commissioners of Justiciary in Scotland, if upon Application made he shall see sufficient Cause, to admit such person to Bail, he or she giving sufficient Security for his or her Appearance to answer the Matters alleged against him or her.

(Where Alien shall not have been sent out of the Realm within One Month after Commitment, Judges, &c. empowered, where application has been made, to continue in, or discharge such Alien out of, Custody.)

V. Provided nevertheless, and be it enacted, That where any Alien who shall have been committed under this Act to remain until he or she shall be taken in charge for the purpose of being sent out of the Realm, shall not be sent out of the Realm within One Calendar Month after such Commitment, it shall in every such Case be lawful for any of the Justices of Her Majesty's Courts of Record at Westminster or in Dublin, or for any of the Barons in Great Britain or Ireland, being of the Degree of the Coif, or for the Lord Justice Clerk or any of the Commissioners of Justiciary in Scotland, or for any Two of Her Majesty's Justices of the Peace in any part of the United Kingdom, upon Application made to him or them by or on the Behalf of the person so committed, and upon Proof made to him or them that reasonable Notice of the intention to make such Application had been given to some or one of Her Majesty's Principal Secretaries of State in Great Britain, or to the Lord Lieutenant or Chief Governor or Governors of Ireland, or his or their Chief Secretary, according to his or their Discretion, to order the Person so committed to be continued in or discharged out of Custody.

(Act not to extend to Ambassadors, &c. or Aliens who have resided in the Kingdom for Three Years.)

VI. Provided always, and be it enacted, That nothing in this Act contained shall affect any Foreign Ambassador or other Public Minister duly authorised, nor any Person belonging to the diplomatic or domestic Establishment of any such Foreign Ambassador or Public Minister, registered as such according to Law, or being actually attendant upon such Ambassador or Minister, nor any Alien under the age of Fourteen Years, or who shall have been residing within this Realm for Three Years next before the passing of this Act.

(Duration of Act.)

VII. And be it enacted, That this Act shall continue in force for One Year from the passing thereof, and until the End of the then next Session of Parliament.

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VIII. And be it enacted, That this Act may be repealed or amended in the present Session of Parliament.

MR. TREVELYAN begged to move the third reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Trevelyan.*)

MR. LABOUCHERE said, he thought it desirable that certain points should be cleared up, because accusations had been made against those hon. Members who had considered it their duty to oppose the Bill. They had had a great many Coercion Bills. The last Coercion Bill was, as confessed by all on the Treasury Bench, an absolute failure. The first step in the history of this Bill was when communications took place between the Members in Kilmainham and the Government. The result was that, provided a Bill to deal with arrears was brought in and some modification in the Land Act were made, those hon. Members would take an active part in putting down outrages, and would afford the Liberal Party the benefit of their support. About that time the regrettable murder of the Chief Secretary for Ireland and the Under Secretary took place, and this Bill was then drafted. They had been told that it was handed over to a Committee, and it would appear that the friends of Ireland and the friends of sound Liberalism were outvoted on that Committee. The result was that the Bill did not represent the opinions of the Prime Minister or of his Liberal Colleagues, but the opinions forced upon them by the Committee of the Cabinet consisting of what were called Whigs. The Bill was to put down outrages and "Boycotting," and to put an end to what he would call fair and legitimate political agitation in Ireland. It was placed in the hands of the Home Secretary, who had boasted that he was a Whig of the Whigs. The right hon. and learned Gentleman declined to make any reasonable concessions, not only to Irish, but to sound Liberal Members. Only one concession of any importance was made—namely, that a search for arms should not take place at night. The Prime Minister gave Notice that that part of the clause would be eliminated on Report. The proposal was made, but the views of the Home Secretary had triumphed by the united votes of the Conservative Party and the Whigs. During the progress of the Bill, accusations had been made that it had been obstructed. He must point out that the Bill was a revolutionary measure, for it suspended the liberties of Ireland for three years. He believed that it was the duty of every sound Liberal in the House to render a Coercion Bill as difficult a task as possible on the part of the Government, for then they would have fewer of them. What had happened upon Report? The Bill was so loosely drawn up that it would have been almost unworkable but for the Irish Members. The Chief Secretary for Ireland had put down 60 Amendments on Report, almost all of which were put down in consequence of the observations and demands made by Irish Members. It was by no means easy to obtain the consent of the Government to make these alterations on Report, and the Irish Members might his or their Hand or Hands respectively, to be published in the London or Dublin Gazette, as the Case may be, to direct that any such Alien or Aliens who may be within Great Britain or Ireland respectively, or who may hereafter arrive therein, shall depart this Realm, within a Time limited in such Order; and if any such Alien shall knowingly and wilfully refuse or neglect to pay due Obedience to such Order, or shall be found in this Realm or any part thereof, contrary to such Order, after such Publication thereof as aforesaid, and after the Expiration of the Time limited in such Order, it shall be lawful for any of Her Majesty's Principal Secretaries of State, or for the Lord Lieutenant or other Chief Governor or Governors of Ireland, or his or their Chief Secretary, or for any Justice of the Peace, or for the Mayor or Chief Magistrate of any City or Place, to cause every such Alien to be arrested, and to be committed to the Common Gaol of the County or Place where he or she shall be so arrested, there to remain, without Bail or Mainprize, until he or she shall be taken in charge for the Purpose of being sent out of the Realm, under the Authority hereinafter given.

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It was by no means easy to obtain the consent of the Government to make these alterations on Report, and the Irish Members might point to those 60 Amendments as the result of their exhaustive discussions. He might call the Prime Minister himself as a witness against the charge of Obstruction, for when the Bill had been in Committee some weeks, he said that, although the discussion had been exhaustive, yet there had been no Obstruction in the objectionable sense of the term. One whole evening was spent in the discussion of an Amendment to make the Alien Clause applicable to England. At the end of the evening the Prime Minister said that he was glad the discussion had taken place, for it put him in possession of the views of the House on the subject. If a whole evening was legitimately occupied in discussing the application of a clause to England, the time occupied in the discussion of each clause relating to Ireland was not too long. The Home Secretary had charged those who opposed the Bill with aiding and abetting in outrages. That charge was exceedingly unfair. Hon. Members seemed absolutely ignorant of the state of things in Ireland; they seemed to think that Home Rulers, Ribbonmen, and Fenians were all animated by the same motives, and were jointly and severally responsible for all outrages by whomsoever committed. When the Land League was established, there were a large number of secret societies. The main object of the Land League was to put an end to those secret societies by open agitation. ["Oh, oh!"] That was the main object of the Land League. ["Oh, oh!" *and* "No, no!"] But what he wanted to point out was this —that from the moment the Land League was established it was the bitter enemy of secret societies. ["Oh, oh!"] The Gentlemen who said "Oh!" must excuse him for saying they knew nothing about the facts. Were those Gentlemen aware that, before the Land League was established, very large amounts of money were obtained by secret societies, and that as soon as the Land League was established that money was diverted from secret societies, and went into the coffers of the Land League? Did hon. Members think that that would encourage a good feeling between secret societies and the Land League? He asserted as a fact that the Land League had always been bitterly hostile to secret societies. That was the position of affairs when the right hon. Gentleman brought in the present Bill. He thought it was an exceedingly useless one. The police had been very badly managed in Ireland. They knew that when the very dreadful murders were committed in Dublin no police were at hand, and that the head of the police had gone to a neighbouring village to enjoy himself. This Bill was brought in not merely to put down outrages, but also to strike a blow at political associations and public meetings; and he believed they would find that when it became law outrages would increase instead of diminishing. On that ground, hon. Members opposed the Bill. It was most unfair for the right hon. and learned Gentleman to say that those who opposed it encouraged outrages in Ireland. The Home Rule Members having withdrawn from the House, as was natural after the way in which they had been treated, the Government were left face to face with their natural opponents, the Conservatives; and they and the Whigs, without a moment's hesitation, coalesced in order to put the Government in a minority. The result of that was that if the Bill were passed it would have in it a clause which the Prime Minister himself had already said would do the greatest harm. What, then, was the course the Government ought to pursue? If they would allow him, he would tell them. They ought either to withdraw their Bill or join in voting against it. Let them bring in a Bill of a very few clauses aimed against outrages and against "Boycotting," and he thought he might assure them that Irish Members would not oppose it. If the Government did that, he believed they would put an end, to a great extent, to the ill-feeling that existed between England and Ireland, and would remove a most regrettable hostility between the Irish Radicals and the English Radicals.

Sir WILLIAM HARCOURT said, his hon. Friend, as he always did, had made a most entertaining speech. He had sometimes wondered what were the principles which the hon. Member thought he (Sir William Harcourt) held, and what were the system and the political principles which governed the actions of the hon. Gentleman. He thought that the hon. Gentleman in his heart confined himself to one single object, and that was to extract from every possible situation the greatest amount of mischief of which it was susceptible. If he succeeded in doing that, his hon. Friend seemed to think he had passed a well-spent day and a still better spent night. His hon. Friend had a very bad opinion of him. [Mr. LABOUCHERE: No, no.] The hon. Member thought, in calling him an old Whig, he had passed upon him a sentence of condemnation. For himself, he liked old names, and he had always admired the late Lord Beaconsfield, who, instead of calling himself a Constitutionalist, or a Conservative, or what not, stuck by the old name of Tory. He thought the old names of Whigs and Tories just as good names as any that had been invented since; and, therefore, he was not at all unwilling to be described by one of the two names which the great political Parties had borne for the last two centuries. But the hon. Member had gone into the realms of imagination—he was always well informed here and elsewhere as to the secrets of society. That was a description of secret society which the Bill did not profess to deal with, though he understood that sometimes "Boycotting" was practised there also. But the hon. Member had talked very freely and confidently of Cabinet secrets. As to Cabinets, he had nothing to do with them. When a Minister stood at that Table and brought in a Bill he represented the whole Government, and he declined altogether to go into detail in matters of great difficulty and requiring great consideration. Everybody knew that when a body of men acting together exchanged opinions discussion would naturally take place which would lead to a conclusion, and when that conclusion was arrived at the whole Government was responsible for that decision. He had endeavoured most imperfectly to discharge the, at times, somewhat difficult task of conducting the Bill through the House; but he would never have stood at that box for one minute unless he had thought he had the hearty cooperation of every one of his Colleagues, and, therefore, the statement of the hon. Member as to the divisions in the Cabinet was entirely devoid of foundation, and he emphatically repudiated it. It was urged that he ought to have conducted the Bill in a totally different manner from what he had done, and that great and serious concessions should have been made to the Irish Members. But what was the hon. Member's idea of the position of a Government with reference to the conduct of a Government measure of that magnitude? The Government, after deliberation, made up their minds in a time of great difficulty and danger, and placed before the House the result of their deliberations. The discussion in the House might make them alter in some respects the decision arrived at, new views might be presented to them, and it would be mere folly and obstinacy to oppose the suggested changes. At the same time, it would have been unworthy of them or of any Government to have made great concessions. To come forward with a decision of that kind, intending to throw overboard some of its most important provisions, would be a policy which no Government would or ought to adopt. They could not suppose Her Majesty's Government were not conscious of the gravity and severity of the measure. Nothing would justify them in proposing it unless they were convinced of its necessity; and, therefore, to stuff it with clauses intended only to be discarded was a course of action of which the Government could not for one moment approve. The hon. Member had chosen to broach again the story of Kilmainham, and had said that the prisoners were released upon some compact for assistance to the Liberal Party and so forth. He could only repeat that the story was absolutely and entirely devoid of foundation, and he was astonished that the hon. Member, who wished himself to be considered the sponsor and godfather of the Irish Members, should not have had his mind disabused of that error. The hon. Member had said it was a bad Bill and a loosely drawn Bill. Although the Government were responsible for the principles of the measure, he thought he ought to defend that very able and careful body of public servants the draftsmen; and he did not think any Bill would be found more ably or more carefully drawn. The hon. Member had also taxed him with stating that Gentlemen who had opposed the Bill advocated outrage. He had never made any such charge as that for any mere opposition. He perfectly recognized that it was only right that the Representatives from Ireland should be opposed to it; but what he alluded to and what he regretted was an absence in those remarks of anything in the shape of deep condemnation of the outrages that had taken place, which might have gone to Ireland with some authority, and had some weight there. It was very greatly to be deplored that in the course of those long and protracted debates they heard rather the language of palliation, and it was to that fact his remarks were directed. His hon. Friend said that the Bill was useless, and that they would do much better without coercion at all. They had heard it said from below the Gangway opposite that if they had remedial measures only, and no coercion, Ireland would have been tranquil, and everything gone on as was to be desired. He must remind his hon. Friend and the House that that experiment had been tried. Under this Government, for the first time for a generation, the experiment was tried of allowing Coercion Acts to lapse. During the year 1880, for a twelvemonth, Ireland was without a Coercion Bill, and what was the result? He said this year, as he said last year, when he was in charge of the Arms Bill, that that experiment had failed. He would say now, as he said then, that he was not ashamed that it was tried. But when they were told in 1882 that if they had no Coercion Bills they would have no crimes, he appealed to the experience of that 12 months during which there was no Coercion Bill. There were men who might have set an example, and shown that Ireland without Coercion Bills would be free from crime; and these were Gentlemen who were not present on those seats to-night. But their teaching was of a different order; and when coercion had been taken off Ireland, a teaching went forth from that quarter which revived outrage in a worse form than, he believed, had ever before been known in Ireland. They were told that they ought not to have Bills of this kind; but Police Bills. He would like to see the Police Bill drawn by his hon. Friend and those who usually sat on the opposite Benches. They were told to give strength to the police; but what did they hear from the mouths of those Gentlemen but denunciations of the police at every point, opposition to every clause which proposed to give the police authority and strength, and then his hon. Friend turned round and said—"Oh, if you had brought forward a strong Police Bill, you would have got no opposition." Why, it was the Police Clauses of this Bill which had met with the most strenuous opposition of his hon. Friend and his allies. The hon. Gentleman said that if this had been a Bill against outrages and crimes his hon. Friends would not have opposed it. But what suggestion had they ever made in the course of those protracted debates with a view to the suppression of outrage and crime? He knew it was said, under the shadow of that terrible calamity, that they would do so; but in 24 hours all those professions had vanished away. He had not heard from the beginning to the end of the debates on this Bill any suggestion whatever from those Gentlemen of any kind of legislation which would have had the effect of putting an end to outrage. This Bill was in many respects a sad Bill. There was nothing that could justify it except its absolute necessity; and when it was sought to cast upon the Government, and upon the people of England, and upon that House of Commons, responsibility for the shame which must necessarily attach to legislation of this description, he would say it was not upon them that that responsibility rested. The responsibility for that shame rested upon those who by their teachings and their evil example had created in Ireland a state of society for which such a remedy as that was indispensable.

COLONEL MAKINS said, the hon. Member for Northampton had three objects in view in the speech he had made. The first was to discharge a duty, holding, as he did, a brief from the Irish Party, who were absent from the House, to whitewash the Obstructives. Having discharged that duty, he had no doubt the hon. Member would, sooner or later, receive his reward. His second object was to glorify the Radical Party and prove how objectionable all measures of coercion must be to them. But the hon. Member should remember that in this case coercion was directed against crime and outrage. His third object was to fling a parting kick at the Government in their sorest and tenderest part. The hon. Member having done that, and brought the concentrated intelligence of Northampton to bear on the subject, he trusted that they might now be allowed to pass the third reading or go to a division.

MR. JOSEPH COWEN said, that the House would, no doubt, be glad to have reached the last stage of this detestable and hateful measure—for detestable it must be regarded by supporters as well as opponents. He could only say, so far as he and those who had been associated with him in resisting it were concerned, that they hailed the final stage with a sense of relief common to the House generally. They had endeavoured to defeat it, but they had been beaten. They had endeavoured to amend it, but they had been beaten. They had endeavoured to delay it, and they had been successful. He said they had endeavoured to delay it intentionally, their object being to familiarize the people of this country with the measure. Coercion Bills in the past had been got through Parliament in a few hours—at most, in a few days. The body of the people were unacquainted with the immense powers conferred by them upon the Irish Executive; but by the resistance that had been made to this Bill and to that of last year, they had brought before the people of the country a knowledge of the mode by which Ireland was governed which they did not previously possess. In that sense, therefore, their opposition had been successful; and no Coercion Bill would ever again pass that Legislature with the alacrity that formerly attended them. The Home Secretary had remarked, in reply to his hon. Friend the Member for Northampton, upon the length of time that had been occupied on this Bill. The Government had delivered many jeremiads upon that theme during the discussions; but if the Home Secretary had given force to a suggestion which he (Mr. Joseph Cowen) made on the night the Bill was introduced, the time occupied would not have been so great. He was not speaking from his own standpoint, but from the standpoint of the Government. He proposed to the Government that, instead of having a cumbrous and complicated measure such as the one before them, which traversed some of the dearest and most cherished of English political privileges, all they need to have was a Bill of one clause, which could have been got into a single sheet of foolscap paper. The object of the Government was to establish a dictatorship. That could have been done in the way described; and as for the difficulty of getting a measure so condensed passed, the supporters of the Ministry would have voted for it just as they voted for the Bill then under consideration. The Government had but to say they wanted it, and what the Government said their adherents would have sworn by. Therefore, such a Bill as he had described could have been drafted in a day. That would have greatly facilitated the progress of Government Business—if that was the object they had in view. Lord Spencer had under this Bill absolute power. No despot in Europe enjoyed greater power. He could control every man in Ireland in all relations in life, both personally and politically. He could interfere with them as men and as citizens. There was nothing that the Lord Lieutenant could not do under this Bill that any Act of Parliament could enable him to do. He had not only one Coercion Act—he had three Coercion Acts. He had the Coercion Act of last year, and the Arms Act, as well as the present. Count Cavour once declared that any ignoramus could govern under a state of siege; but Lord Spencer had a treble state of siege, and if he could not secure peace and order by the exercise of such powers, it was impossible to frame a measure to accomplish that purpose. The Bill was supposed to be for the detection and punishment of crime. But what was the crime they wished to detect and punish? Ordinary crime did not exist. The crime they wished to reach was of a peculiar character. It was political and social, and arose from political disaffection and social distress. The only way by which such crime could be prevented was by removing the distress and curing the disaffection. As for the detection of crime, that could only be accomplished by a vigorous Executive and a vigilant police. Was there a man in that House who believed—did even the Home Secretary believe—that the desperate and daring men who galloped into Phœnix Park and committed the heinous crime there two months ago could be deterred by a Bill of that kind? The men who could do such deeds would no more be bound by the clauses of Coercive Acts than a cat would be by pudding. The societies that existed in Ireland were just a counterpart of such societies as existed in other countries in times of disturbance and disorganization. They resembled the carbonaire of Italy and the Vehmgericht tribunals of Germany. These associations never had greater power than when the laws of Italy and Germany were most stringent. No power could restrain them; but when the grievances of which the people of Italy and Germany complained were removed, then the associations vanished into thin air. And it would be the same in Ireland. When the people of that country ceased to have good grounds of complaint, there would be no secret societies and no illegal organization. But although this Bill would not put down illegal associations, it would affect the dissemination of political opinion and stop legitimate political agitation. It was well to allow the smoke of political discontent to escape, because the rulers could then determine by it the drift of political opinion. But the Government seemed not to hold by that accepted axiom, but strove to prevent its escape; and it might condense into a condition dangerous to the State and injurious to the people. The Government of England was a Government of law, and it was contrary to every principle of law to invest with discretionary power any man or any body of men over the lives, the liberties, and the properties of the people under the plea that the power would not be abused. But that was what they were going to do in Ireland. They were going to invest with this absolute power one man, and that man the Lord Lieutenant. He would conclude his observations by quoting from a memorable speech from the right hon. Gentleman the Chancellor of the Duchy of Lancaster against the Coercion Bill of 1866. The right hon. Gentleman, on that occasion, used these notable words—

> "All history teaches us that it is not in human nature that men should be content under any system of legislation and of institutions such as exists in Ireland. You may pass this (Coercion) Bill; you may put the Home Secretary's 500 men into gaol—you may do all this, and suppress the conspiracy, and put down the insurrection; but the moment it is suppressed, there will still remain the germs of this malady, and from those germs will grow up as heretofore another crop of insurrection and another harvest of misfortunes. And it may be that those who sit here eighteen years after this moment will find another Ministry and another Secretary of State to propose to you another administration of the same ever-failing and ever-poisonous medicine."—[3 *Hansard*, clxxxi. 693.]

When the right hon. Gentleman used these words he was sitting in that part of the House where he (Mr. Joseph Cowen) was then standing. He was now a Member of the Government, and it was a remarkable fact that every prediction he indulged in 16 years ago had come to pass. A new Coercion Bill was being adopted, and he, instead of being an opponent, was a supporter of it. He undertook to predict that, as the Coercion Bill of 1866 had failed, so the Coercion Bill of this year would equally fail. It was odious in principle; it would be inoperative and injurious in action.

Mr. BRODRICK wished to say a word or two on the Bill, not thinking it fit that it should receive its final benediction from the hon. Member for Newcastle. The observations of the hon. Member were wanting in practical application. Although the hon. Member professed to speak as the Representative of a large constituency, his views were opposed to those of the vast body of English people. The hon. Member talked of tyrants and despots, but he never said a word about the murder of landlords. He (Mr. Brodrick) would only add that he hoped the Government would not forget that the House expected them to lose no time in putting into execution the exceptional powers with which they were about to be intrusted.

Mr. FIRTH said, that, while he approved of some of the provisions of the Bill, he objected strongly to others. In his opinion, the way to improve Ireland was to bring the people to respect the law as intended for the general good. He should, however, vote for the third reading.

Mr. JESSE COLLINGS said, that the reason he protested against the Bill was that he was anxious to see crime put down in Ireland; but he feared that the Bill would lead to the creation of more distress, and consequently of crime. He regarded the Bill as a violation of Constitutional principles. Evils of bad landlordism was the real cause of the present condition of Ireland.

Mr. ASHMEAD-BARTLETT said, the key to the present condition of Ireland was to be found in the speeches of the President of the Board of Trade, in which he said that the agitation of the Land League was positively praiseworthy, and that agitation had not been stifled lest the Government should be unable to pass their Land Bill. The Bill was painful, but necessary; it was the severest commentary that could be passed on two years of Liberal government in Ireland. The Government were warned of what would happen; but they neglected the warning, and allowed lawlessness and disloyalty to terrorize the land. They introduced a Coercion Bill, and attempted to bribe agitation with the Land Act of last Session. That had been a conspicuous failure. They were now going to bribe the revolution again with an Arrears Bill. So long as they adopted that course they would fail. After two years of almost absolute power they had reduced Ireland to a condition which, in the words of the Prime Minister himself, was a shame and a disgrace to the country. Their government had been marked anarchy, not only in Ireland, but in South Africa.

MR. STOREY said, he thought the view of Members who objected to this Coercion Bill should be heard briefly on the last occasion when it was brought before the House. The present aspect of the House was extremely painful. They were about to pass an Act to extinguish the liberties of the Irish people, and where were the Representatives from Ireland? He did not allude to Members below the Gangway merely, but he had been looking carefully round the House that evening, and there were so few Irish—Conservative or Liberal—Members present, that the position of the House was painful and humiliating. He shared in the regret expressed by the Home Secretary at the absence of hon. Members below the Gangway; but he wished to impress upon the right hon. and learned Gentleman the Home Secretary that it was not only to-night, but all through the Bill, that he had not had the support of even his own Friends from Ireland. He did not think the House realized, and he was sure the country had not realized, how many of the Members from Ireland were really opposed to this Bill, and it was because he felt and knew that the majority of Irish Members were opposed to the Bill—[" No, no! "]—that he resisted it. What would have been thought if the House had been to-night dealing with Scotland as they were dealing with Ireland? He admitted that in this century it was not reasonable to instance Scotland as an argument; but hon. Members from Scotland must remember that 100 years ago the condition of things in Scotland was exactly like that of Ireland now. Suppose the House had been dealing with Scotland, and the majority of the Scotch Members had been against the Bill, with what conscience or propriety could the House have passed such a Bill for Scotland? His statement that the majority of the Irish Members were opposed to this Bill had been challenged; but he repeated the statement, and asserted that the House had no business to pass such a measure as this when the majority of the Irish Members were opposed to it. A greater man than any in that House had said, when he was Home Secretary, that Great Britain had no right to govern Ireland if Ireland did not wish to be so governed. No Government had a right to hold sovereignty against the will of the people. It was Charles James Fox who said that on the 8th April, 1782—and even the old Whig of 1882 could not deny the value of such testimony. The Representatives of the Irish people were against this Bill, for out of 103 Members from Ireland only 24 and two Home Rulers were in its favour. On the second reading of the Bill, under the shadow of that terrible event in the Phœnix Park which English Radicals deplored and condemned as much as any man, the right hon. and learned Gentleman could only get 11 Liberal Members from Ireland to support the Bill. On the 1st clause he could only get three, on the 2nd clause there was no division, on the 3rd clause he got five, on the 4th clause he got eight, on the 5th he got two, on the 6th he got two, on the 7th he got two, on the 8th he got five, on the 9th he got three, on the 10th he got three, on the 11th he got seven, on the 12th he got two, on the 13th he got four, on the 14th he got seven, on the 15th he got four, on the 16th he got four, on the 17th he got four, on the 18th he got six, on the 21st he got five, and on the 30th he got four. The average was four, and of those four two were Members of the Government; so that, for this Bill, which the Home Secretary said was necessary for Ireland, out of all the Irish Members, including the Members of the Government, only an average of two could be got to support it; and, what was more, some of the clauses of the Bill had been pushed forward against the strong advice of Members of the Liberal Party from

Ireland on the Government side, and a number of the clauses had been put into the Bill when there was not a single man from Ireland in favour of them. Whatever other Members might do, he, for one, would never consent to this Bill. His vote was as free as anyone else's, and he should give it where he pleased, which was as much as some other Members did who interrupted him. He would never consent either for Ireland or Scotland or Wales or England to give a vote for a measure when the great majority of the Representatives of the country condemned the measure. He believed the Bill to be wrong in principle, and that it would fail in practice, and he was extremely sorry that once again a Liberal Ministry was passing a coercion measure for Ireland. He believed the Bill would have evil effects, and he regretted it for the sake of the Irish Members on the opposite side of the House, and for English Liberals, and infinitely more for the sake of the Radicals throughout the country, whom he disassociated along with the Home Secretary from Whigism and Toryism. He admitted that Whig and Tory were good old names, and if he were on the other side of the House he would be called a Tory. If he were one of the Whig Party he would be called a Whig, and not a Liberal; but he was a Radical, and he was sorry to see the Radicals voting with a Whig Ministry for such a measure as this. The one man in this country whom he blamed more than any other for this measure, and for the present position in which Liberalism was placed, was not the Home Secretary nor the Prime Minister, but one who sat in the Ministry, and all whose principles had been falsified and cast to the winds. He blamed the right hon. Gentleman the senior Member for Birmingham (Mr. John Bright). He, more than anyone else, was answerable, for if he had been firm he believed there would never have been this Coercion Bill; and he preferred the teachings of the right hon. Gentleman many years ago to his practices now. He hoped the hon. Member for Northampton (Mr. Labouchere) would divide, so that hon. Members might express their protest against a measure which they believed was sure to fail.

Mr. MARJORIBANKS said, the hon. Member for Sunderland (Mr. Storey) had made sundry reflections on the Scotch Members of the House. If Scotland were in the same condition as Ireland now was, Scotch Members would vote for the same Bill for Scotland as for Ireland. The hon. Member had referred to the number of Irish Members found to support this Bill. How many Irish Members were found to vote against it? Not in one single division had a fourth of the Irish Members voted against it, and he believed that the abstentions referred to were alone a sufficient proof of the awful state of terrorism in Ireland at the present time. The country was at present in the face of a big revolution. In former days men dared to stand up for their opinions. But now there were three different organizations against any form of government. The first, the people who acted by murders or outrages—foreign agitators, "Moonlighters," and Fenians; then the Land Leaguers, by "Boycotting" and manifesto; and then hon. Members from Ireland who sat opposite, who tried to act by destroying the honour and dignity of that House by attempting to stop all its Business. For these reasons he should support the Bill, as he believed every Member would who desired to maintain the honour and dignity of that House.

Mr. JERNINGHAM said, that the Bill appeared to him admirably adapted to insure respect for the law in Ireland. The hon. Member for Sunderland (Mr. Storey) had stated his belief that secret societies in Ireland would increase after the passing of this measure; but in that respect he entirely differed from the hon. Member, because he believed that a bold and steady application of the Bill would put an end to them once for all. He had steadily supported the Government throughout the progress of this measure, and he had done so throughout, because he regarded that support as a protest on the part of the Catholics of England against the outrages committed in Ireland. He believed those outrages emanated solely from foreign agitators, and that the natives of Ireland had little to do with them. He appealed strongly to the Government that, having these extraordinary powers in hand, they should apply them without mercy to the rooting out of these secret societies, which were gnawing at the core of Irish society. If the Government did that, he was satisfied that they would receive the thanks of the people of Ireland.

CAPTAIN AYLMER said, he was obliged to confess that he had not the slightest confidence in the present Government, so far as the management of affairs in Ireland was concerned; on the contrary, he believed that the troubles now existing there were mainly due to the policy which they had pursued. He had voted with the Government throughout the passage of this Bill, because they had stated that without it they could not govern Ireland, and he preferred the plan which they offered to no Government at all.

MR. WARTON said, he was one of the very few Members of the Conservative Party who remained in the House until 8 o'clock last Saturday evening. He had watched the conduct of the Government during the three or four days' protracted opposition to the 14th clause. A promise had been made by Gentlemen on that side of the House below the Gangway that, after the statement of the Prime Minister, no further opposition would be offered. Notwithstanding this, however, Obstruction again prevailed shortly afterwards. The next day the hon. Member for Wexford (Mr. Healy) recalled the words of the Prime Minister, and was immediately contradicted by the Home Secretary.

Question put, "That the Bill be now read the third time."

Mr. SPEAKER stated he thought the Ayes had it, and, his decision being challenged, he directed the Noes to stand up in their places, and Five Members only having stood up, Mr. Speaker declared the Ayes had it.

Bill *passed.*

Whereupon Mr. SPEAKER stated that the House having now passed the Prevention of Crime (Ireland) Bill it becomes my duty to declare, in pursuance of the Resolution of Monday last, that the state of Public Business is no longer urgent.

MR. HEALY asked, whether it was not usual to put from the Chair the Question, "That this Bill do now pass?"

MR. SPEAKER said, that was unnecessary, no division having been taken on the third reading.

SIR STAFFORD NORTHCOTE said, he understood that it was the intention of the Government to proceed with the Arrears of Rent Bill on Monday.

MR. GLADSTONE: Yes, Sir; that is so.

MOTION.

PARLIAMENT — PRIVILEGE — SUSPENSION OF IRISH MEMBERS (SATURDAY, JULY 1).—RESOLUTION.

SIR JOHN HAY said, he would not detain the House for any length of time in supporting the Motion he had placed on the Paper, to which, however, he trusted the House would unanimously agree. It would be in the recollection of hon. Members that a week ago there had been a very prolonged Sitting, in the course of which several hon. Members were suspended from the service of the House. Now, he should be the very last person at any time to call in question, or to differ from, any decision of Mr. Speaker, or of the Chairman of Committees, with reference to the Business of the House. Upon the occasion he had referred to, the Chairman of Committees was at one period taking the rest which he undoubtedly required, and on his resuming the Chair it was found necessary—and he did not for one moment dispute that necessity—to suspend 16 Members from the service of the House for wilful and persistent Obstruction. But neither at the time that proposal was made by the Chairman of Committees, nor when the suspension was moved by the Secretary of State for War, were reasons given for the collective suspension of those hon. Members. The names were proposed by the right hon. Gentleman the Secretary of State for War, and during the time that the proposal was under the consideration of the Committee he (Sir John Hay) thought it his duty to proceed to the Chairman of Committees and state to him certain facts within his (Sir John Hay's) knowledge, and which were not within the Chairman's knowledge. It so happened that during the prolonged Sitting he had been in his place, he might almost say continuously, and the hon. and learned Gentleman the Member for Kilkenny (Mr. Marum) spoke to him (Sir John Hay) early in the evening with reference to his withdrawal from the House as he (Mr. Marum) was leaving it. A Motion had been made by the right hon. and learned Gentleman in charge of the Bill, the Secretary of State for the Home Department, and that Amendment was opposed by two hon. Gentlemen, the hon. Member for Roscommon (Dr. Commins) and the hon. Member for the County of Limerick (Mr. Synan). A few words were addressed to the Committee on the Amendment by the hon. and learned Member for Kilkenny (Mr. Marum), but those words were in favour of the Amendment of the Home Secretary. The hon. and learned Member then left the House, and in passing him (Sir John Hay) said he did not intend to take any further part in the debate. The hon. and learned Gentleman returned to the House about 9 o'clock in the morning and became a victim to suspension. It did seem to him rather hard that the hon. and learned Member, who had not addressed the Committee for some hours, and then only in a short speech, and in favour of an Amendment proposed by the right hon. and learned Gentleman in charge of the Bill, should be included in the number of those who were suspended. He went to his right hon. Friend the Chairman of Committees at the time the Division Bell was ringing and mentioned it to him; but the right hon. Gentleman very properly said that with the Business then before the Committee he could not attend to the matter. He objected to the suspension of the hon. and learned Member for Kilkenny (Mr. Marum), and he said to the Chairman—"I trust you will mention my objection to the Speaker when he takes the Chair." He also said to the Chairman—"I am anxious to support the ruling of the Chairman, and therefore I will vote on this occasion; but I will make the objection when Mr. Speaker takes the Chair." He therefore voted for the suspension of the 16 Members; but trusted that afterwards the name of the hon. and learned Member for Kilkenny might be erased from the list of suspended Members. The right hon. Gentleman the Chairman of Committees said it was not solely for the Obstruction of that particular night that the hon. and learned Member for Kilkenny was suspended; but it was for previous and constant Obstruction of the Business of the Committee. He (Sir John Hay), therefore, thought it right to make some examination of the matter. He found that the hon. and learned Member for Kilkenny was a magistrate in two Irish counties, one of which he represented in that House, and in which he had property. He also ascertained that three of the Amendments which the hon. Member proposed in the Bill were Amendments which were accepted by the right hon. Gentleman in charge of the Bill. It therefore seemed to him (Sir John Hay) that it could hardly be said that the opposition offered by the hon. and learned Gentleman was not legitimate opposition. It seemed to him that the Bill was one in which the hon. and learned Gentleman might fairly take the deepest interest, and in the course of his inquiry he ascertained that the hon. and learned Member had always addressed the Committee in the most respectful manner; and, although he might have spoken at a time when the Home Secretary might have wished the Business could proceed quicker, the action of the hon. and learned Member for Kilkenny could not fairly be said to be obstructive. That being so, so soon as the Speaker took the Chair after the 16 Members had been Named, he (Sir John Hay) proceeded to the Chair and mentioned, respectfully he trusted, that which had come under his own observation. He mentioned to the Speaker that the Chairman of Committees had not been present throughout the night, and that he had been. The Speaker said it was not possible for him to make the change which he (Sir John Hay) desired to be made, and therefore he voted against the Motion, in order that he might record his protest against one or two names being included in the list. Certainly, against the inclusion of the name of the hon. Member for Kilkenny he was bound to protest, and he felt it was his duty to record his vote in the hope of obviating this particular suspension. The stigma which rested upon an hon. Gentleman for suspension from that House was very considerable. It might be said that the hon. and learned Gentleman the Member for Kilkenny was only suspended for one day, and that he was now able to take part in the debates in that House, and vote as any other hon. Member. He would point out that if the Resolution of Saturday, the 1st of July, were rescinded in respect to the hon. and learned Gentleman a fresh start would be given to the hon. and learned Gentleman, and he would not be so near that condition of things which was still more disgraceful to those who suffered from it. If, as there was, a doubt as to the fairness of the suspension of the hon. and learned Gentleman, he appealed to the House whether the proposition which he now made would not be a kind and courteous offer to an Irish Member, and would not show that it was not because the hon. and learned Gentleman was an Irish Member that he had been suspended? He trusted that the fairness which always prevailed in an Assembly like the House of Commons would concede what he now asked. He trusted the Chairman of Committees would see the matter in the light in which he (Sir John Hay) ventured to put it before the House. He would move the Resolution which stood in his name.

Motion made, and Question proposed,

"That so much of the Resolution of this House as referred to the suspension of Mr. Marum from the service of the House on Saturday 1st July, be rescinded."—(*Sir John Hay.*)

MR. R. N. FOWLER said, that, like his right hon. and gallant Friend (Sir John Hay), with whom he was sorry to differ, he was in the House on the occasion referred to, having been present since 11 o'clock on the previous night. He wished to point out that it was the duty of the House to support the decision of its Speaker, and the decision of the Gentleman who presided over the deliberations of the House in Committee. It was even more important to support the decision of the Chairman of Committees than the decision of the Speaker. The Speaker of the House filled a very high and honourable position by the sanction of the Sovereign. The Chairman of Committees was, to a certain extent, in a different position. In Committee of the House the Chairman presided over their deliberations; but when the House resumed, he subsided into the position of an ordinary Member; he was, therefore, not placed in a precisely similar position to the Speaker. He (Mr. R. N. Fowler), therefore, felt it was most important that whatever decision the Chairman of Committees arrived at it should be supported in the same way in which the decision of the Speaker was respected by the House. The right hon. Gentleman the Chairman of Committees, in the exercise of his discretion, arrived at a certain decision on Saturday morning, the 1st instant, and it was right that the House should respect that decision. No doubt, some hon. Gentlemen might feel injustice was done to some hon. Members in being included in the list of suspended Members. He believed, for instance, that the Motion of his right hon. and gallant Friend (Sir John Hay) originally included the name of the hon. and learned Member for Kilkenny (Mr. Marum) and the name of the hon. Member for Louth (Mr. Callan). The latter name, however, had been omitted from the Motion, on what ground he (Mr. R. N. Fowler) did not know, for he believed that his right hon. and gallant Friend was originally under the belief that the hon. Member for Louth, like the hon. and learned Member for Kilkenny, had taken no part in the proceedings of the night. But the decision of the right hon. Gentleman the Chairman of Committees had reference not merely to the Obstruction of that particular night, but to the course of regular Obstruction which had been observed by the hon. Members Named during the Committee on the Prevention of Crime Bill. In the proposition his right hon. and gallant Friend now made he was perfectly consistent, because, although he voted for the Resolution originally in Committee in the House, he voted in the minority as a protest against the inclusion of certain names in the list of suspended Members. He (Mr. R. N. Fowler), having on both occasions voted in the majority, did not see why he should stultify himself by supporting the proposition of his right hon. and gallant Friend. It seemed to him important that they should support the decision of the Chairman, and on that ground he should vote against the Motion.

SIR WILLIAM HARCOURT said, the House ought to consider very carefully how they were going to deal with this Motion. He knew it was the favourite doctrine of Gentlemen on the opposite Benches that the proper manner of dealing with Obstruction was to deal with individuals. He never concurred in that view, mainly for this reason, that he foresaw that that form of proceeding would lead to exactly such Motions as the present, which were calculated to absolutely defeat the efforts against Obstruction. Whenever a Member was suspended, he would invariably, by subsequent Motions, challenge the decision of the House and create a protracted debate. Now, he need not say it was quite impossible that his right hon. Friend the Chairman of Committees should get up and contend with the right hon. and gallant Member (Sir John Hay) as to whether the Chairman was right or wrong in the action he took on the 1st of July; it would be absolutely improper for a Gentleman occupying the position of Chairman of Committees to do that. It could not be expected that the Chairman of Ways and Means should say a single word on this occasion. ["Oh, oh!"] Hon. Gentlemen might cry "Oh, oh!" but they might just as well have the Speaker down from the Chair and challenge every decision he arrived at on points of Order. There were, no doubt, some Gentlemen who were disposed to do that; but he could not agree with them. It would be most indecent and improper that the right hon. Gentleman the Chairman of Committees should plead to a Motion of this description, and he hoped his right hon. Friend would do nothing of the kind. If they were to entertain Motions of this kind, they must give up for ever afterwards the right of the Speaker or the Chairman to act against individuals. The right hon. and gallant Gentleman who had moved this Motion had said that as there was a doubt as to the fairness and justice of the suspension of the hon. and learned Member for Kilkenny (Mr. Marum), that hon. and learned Gentleman ought to receive the benefit of the doubt. If such an argument were admitted it would be possible for every exercise of jurisdiction in that House to be followed by Motions of this description. No doubt, there were Members of the House who had the same opinion as to the suspension of each of the 16 Members as the right hon. and gallant Gentleman had with regard to the suspension of the hon. and learned Member for Kilkenny. The operation of the principle of individual action would lead to ten times more Obstruction than the Obstruction which it was intended to put down; a more self-stultifying proceeding it was utterly impossible to imagine. It would be a very invidious task on his part to enter upon a controversy as to the conduct of individual Members, especially on account of the part they happened to play during the progress of the Prevention of Crime Bill through the House. There was one phrase which fell from the right hon. and gallant Gentleman (Sir John Hay) which rather surprised him. The right hon. and gallant Gentleman said the hon. Member for Kilkenny appealed to the House to reverse its decision. He (Sir William Harcourt) was very much surprised to hear that the hon. and learned Member for Kilkenny had made any such an appeal.

Sir JOHN HAY: He did so in respectful terms.

Mr. HEALY: Before he had been suspended.

Sir WILLIAM HARCOURT: Is the right hon. and gallant Gentleman authorized to say that by the hon. and learned Member for Kilkenny?

Sir JOHN HAY: No; I have had no communication with the hon. and learned Gentleman.

Sir WILLIAM HARCOURT said, he rather suspected the hon. and learned Member for Kilkenny would consider the right hon. and learned Gentleman had been performing an act of cruel kindness if he separated him from the other Irish Members who were suspended. They had had to-night a very frank statement from the hon. Gentleman the Member for Newcastle (Mr. Joseph Cowen), who had said that the object of himself and the Irish Members had been, first, to defeat the Bill if they could—no doubt a very legitimate object—secondly, to amend it, which was also a perfectly fair and reasonable object; but thirdly, if they could not defeat or amend the Bill, to delay it.

Mr. CALLAN: Why was he not suspended?

Sir WILLIAM HARCOURT said, that was what the hon. Member for Newcastle had said was the object of himself and those with whom he had acted. When the hon. Member made this statement, those Gentlemen in whose behalf he was speaking were not present; nevertheless, he was, no doubt, accurately expressing their views.

Mr. CALLAN: Why was he not suspended?

Sir WILLIAM HARCOURT: I suppose he was a little more discreet than some other hon. Members.

Mr. CALLAN: No; it was because he is an Englishman.

Mr. HEALY: Yes; because he is an Englishman.

Sir WILLIAM HARCOURT said, he did not wish to say anything personally invidious or offensive to anyone; but it was, no doubt, clear that the Committee had been bound ultimately to take some measures to defend itself from a policy which had for its object to defeat the Bill, to amend it, or, failing this, to indefinitely delay it. It had been laid down by the Chairman that the suspension was not in consequence of any action of the moment; and he (Sir William Harcourt), who had been present during the debates on the Prevention of Crime Bill more, perhaps, than any other Member, could say that the right hon. Gentleman's decision was not a wrong one. It was absolutely necessary that some such action as that which had been taken by the Chairman should be adopted if they were ever to make progress with a Bill which a section of hon. Members had made up their minds to delay, being unable to defeat it. It was for the House to say whether or not such a power as had been exercised by the Chairman should vest in the person who presided over the House of Commons—whether it were Mr. Speaker or the Chairman of Ways and Means. If there was to be no such power, the House would be absolutely powerless. They had seen what had happened in the case of a Bill which the great majority of the House considered of urgent necessity and essential in the best interests of the State. They had seen how helpless the House was under the present Forms of Procedure to get through Bills of first importance and of great public interest, and they had seen how necessary it was to alter those Forms, unless the House meant to allow all Public Business helplessly to drift. Hon. Gentlemen opposite were not in favour of the *clôture;* but unless some such measure as that were adopted the House of Commons must remain helpless, and in a position to command neither respect from its Members nor from the constituencies outside. He hoped they would not go on further with the discussion, but would be satisfied with simply supporting the authority of the Chair.

MR. GORST said, it seemed to him that the right hon. and learned Gentleman the Home Secretary was thoroughly ashamed of the speech he had just had to deliver. The greater part of it had had nothing whatever to do with the Motion of the right hon. and gallant Member (Sir John Hay), and it was lucky for the Home Secretary that they were no longer under the Rules of Urgency, because, if they had been, he (Mr. Gorst) was by no means sure that it would not have been Mr. Speaker's duty to have stopped the right hon. and learned Gentleman. It had struck him (Mr. Gorst) that the right hon. and learned Gentleman had been speaking against time—that he had prolonged his speech owing to the extreme thinness of the Benches behind him; but, whether that were so or not, one thing which must have struck everyone who had listened to this short debate was this—that those who had opposed the Motion of his right hon. and gallant Friend had most carefully avoided saying one word as to the justice of the suspension of the hon. and learned Member for Kilkenny (Mr. Marum). The worthy Alderman (Mr. R. N. Fowler) considered it his duty to support Mr. Speaker and the Chairman of Ways and Means in their decisions, whether those decisions were right or wrong. But if the hon. Member had himself been one of those who had been suspended from the service of the House, no doubt his feelings would have been altered, and he would have been of opinion, when injustice was done to himself, that that injustice should not have been done. The right hon. and learned Gentleman said there should be no review of these proceedings, because, if they reviewed them in one case, they should review them in all. The best answer to that was that during the past two years there had been scores of hon. Members suspended, and this was only the second case in which the House had been asked to review its decision. There was one case last year in which an appeal to the House to review its decision was made by the right hon. and learned Gentleman (Sir William Harcourt) himself—the House would recollect that the hon. Member for Dungarvan (Mr. O'Donnell) was suspended in consequence of a misapprehension by the Chairman of Committees as to the action that the hon. Member had been taking in Committee, and the person who came forward to ask the House to review its decision was the right hon. and learned Gentleman himself. Though they were accustomed to the right hon. and learned Gentleman's effrontery, he (Mr. Gorst) had been astonished that he should have got up in the House and coolly object to the very course that he himself had taken last year. If the right hon. and learned Gentleman had been right in asking the House to review its decision when a mistake had been made in the case of the hon. Member for Dungarvan, how could the right hon. and learned Gentleman have had the face to find fault with the right hon. and gallant Gentleman the Member for the Wigton Burghs (Sir John Hay) in asking the House to review its decision when a mistake had been made in the case of the hon. and learned Member for Kilkenny? He (Mr. Gorst) stated, without fear of contradiction, that the hon. and learned Member for Kilkenny had been included, by mistake, in the list of hon. Members who had obstructed; and in spite of the fact that the right hon. Gentleman (Mr. Lyon Playfair) had been advised not to speak on this occasion, he (Mr. Gorst) would challenge him to get up and say that it was not by mistake that the hon. and learned Member for Kilkenny had been included on the list. The case stood thus—they had, on the one hand, the testimony of the right hon. and gallant Baronet, who was in the House the whole night of the suspension, and who was no particular friend of the hon. and learned Member for Kilkenny. He told them, on his own authority, what was the conduct of the hon. and learned Member on the occasion in question. What had they on the other hand? Why, simply evasion on the part of the Home Secretary, and reticence on the part of the Chairman of Ways and Means; or rather silence, for he would not come forward and speak. Under such circumstances, it appeared to him (Mr. Gorst) that it would be only an act of common justice if the House were to adopt the Motion of his right hon. and gallant Friend, that so much of the Resolution of the House as referred to the suspension of Mr. Marum from the service of the House should be rescinded. He had great hopes that the House would do that, because, in the first place, he saw that the Home Secretary, having delivered himself, had left the House; and, in the second place, because, in his speech, the right hon. and learned Gentleman had not threatened his own personal resignation in case the recommendation he made to the House was not adopted. The fact that the right hon. and learned Gentleman had abstained from such threat might be taken by hon. Members on the Ministerial side of the House as an indication that they might vote according to their consciences—that they were not under the lash of the Treasury Whips, but might act as men who wished fair play. Under these circumstances, he had not much doubt as to what the judgment of the House would be.

Mr. R. POWER said, it appeared to him that the right hon. and learned Gentleman the Home Secretary had acted a wise part in not remaining in the House during this debate. The right hon. and learned Gentleman, seemingly, had remembered the lines that—

> "He who fights and runs away,
> May live to fight another day;"

and he (Mr. R. Power) congratulated the Leader of Her Majesty's Government upon also being absent on this occasion. The Home Secretary, before taking his departure, however, had given very good advice to the right hon. Gentleman the Chairman of Committees, telling him to remain silent. If that advice were not followed, how would the Chairman of Committees be able to meet this statement—namely, that hon. Members were suspended who had not taken nearly so active a part in the exhaustive discussion of the Coercion Bill as some hon. Members who were not suspended? Those to whom he alluded as having taken an active part in the discussion, without being suspended, were English Members. He alluded to the hon. Member for Newcastle (Mr. Joseph Cowen), to the hon. Member for Northampton (Mr. Labouchere, and to the hon. Member for Sunderland (Mr. Storey). He was quite prepared to prove that these hon. Gentlemen, who were not suspended, had made more speeches and recorded more votes than some of the hon. Members who were suspended. He could not see why the right hon. and gallant Gentleman the Member for the Wigton Burghs (Sir John Hay) had selected the hon. Member for Kilkenny as the object of his Motion, for hon. Gentlemen had been suspended who had not made as many speeches as the hon. and learned Member for Kilkenny, who had not given as many votes, and who had not in any way obstructed the progress of the Prevention of Crime Bill. The difficulty about the matter was this—and he would take his own case—that he found that hon. Gentlemen who had made a far greater number of speeches, and recorded a far greater number of votes, were not suspended at the time he was suspended. He should like to ask the Home Secretary to explain why that was? They found that the right hon. Gentleman the Chairman of Committees had come down and suspended men who were not in the House at all—men who were, and had been for some hours, in bed. He had suspended Gentlemen who had only spoken once in the debate, and who had only recorded 10 votes during the whole of the discussions on the Bill. It came to this—that he (Mr. R. Power) found he was suspended for actually doing nothing at all. He had given—he was sorry to say—very few votes on the Bill, and had spoken very seldom upon it up to a certain period. After that period, however, he did something—according to English ideas he obstructed the Bill, yet he was not suspended for it. The result of it all was this—the Government turned the Irish Members out of the House, the Irish Members resolved thereafter to take no part in the discussion of the Bill, and through the loss of their votes on an important principle the Government sustained a serious defeat.

MR. NEWDEGATE said, he was not present when the suspensions took place; but he would point out that those suspensions were not merely on the authority of the Chairman of Ways and Means, but by the vote of the House, and on his suggestion. He (Mr. Newdegate) could not believe that that suggestion was made but on grounds that were adequate, although, as the hon. Member (Mr. R. Power) had said, some of those who were suspended might have been less active in persistent Obstruction than others. Above all things, he (Mr. Newdegate) feared the consequences of invalidating the authority of the House. He considered that a most unfortunate precedent was set by the blundering of the House with reference to what had been done in the case of Wilkes. That was the first great precedent upon which some hon. Members were now asking the House to act. Every Parliamentary authority condemned this precedent to which he referred. The Parliamentary authorities said that what had been done in that case had been done for purely Party motives. There was no earthly doubt that the House was right in proceeding against Wilkes, and that their action at that time tended largely to the prevention of the extension of the French Revolution in this country, and secured our peace and safety. Perhaps the hon. Member for Northampton (Mr. Labouchere) was not acquainted with the precedent with which he was dealing, and, therefore, did not understand his citation. If the hon. Member was acquainted with the precedent, he was probably aware that it was considered a most unfortunate one, and that until the proposal before the House was made, it had never been attempted to be followed by the House of Commons. If they were to be suspenders of hon. Members by a vote of the House, and were, within a week, to condemn the action they had taken in so suspending, where, he would ask, would be the authority of the House? Besides, he was not at all clear that there had been a mistake in this case. If there had been, it was too late to correct it—they could not place the hon. Member for Kilkenny in the position of having voted on the questions which had come before the House during the time of his suspension. The House ought to be warned by the evil estimation in which its action in having expunged its proceedings in the case of Wilkes had been held.

MR. STOREY said, that if the House had made a mistake, they ought to acknowledge it, and put the matter right. He was in the North of England at the time the occurrence took place; but he read all about it in the newspapers. When he read about the suspensions he was amazed, particularly in regard to the hon. Gentleman who was mentioned in the present Motion. He (Mr. Storey) knew—and he spoke with no small amount of knowledge on this point—that the hon. and learned Member for Kilkenny never had obstructed, had never practised, encouraged, nor advised it. On the contrary, the hon. and learned Member had never done anything more than seek honestly and fairly to amend the provisions of the Bill. He (Mr. Storey) felt bound, moreover, when the hon. Member for North Warwickshire (Mr. Newdegate) spoke about invalidating the authority of the House, to say that by no process could they more discredit themselves or their Chairman of Committees than by insisting on an error when an error had been committed. He was amazed that when the Chairman was dealing with this matter he did not deal with some Members on this side. If any Member deserved to be suspended, the hon. Member for Northampton did; so did he himself. They and the hon. Member for Newcastle, and the hon. Member for Durham (Mr. T. C. Thompson), did all they could—not in malice, but all in honour—to prevent this Bill from passing. They had endeavoured to have every line and every word of it fully and completely examined, and had protested against it all through; and he must say that some of the Irish Members, having perfect right and justice on their side, would do well when they returned to Ireland to say that there had been hon. Members for English constituencies who voted against this Bill as they had, but had not fallen under this censure. He did not want to go into history; but if he did so he could cite against some of the right hon. Gentlemen on the Front Bench acts as obstructive, as persistent, as determined as, and much more plainly expressed than, any acts of hon. Members opposite. The right hon. Gentleman the President of the Board of Trade on one occasion declared that he had obstructed a measure, and meant to obstruct it; and he (Mr. Storey) thought it would invalidate the authority of the Chair when Irish Members were able to say, and with justice, that one measure was dealt out to Irish Members and another to English Members, although the latter might just as much deserve censure, if any censure was deserved at all. He denied that any censure was deserved, and he felt that great injustice had been perpetrated against the hon. and learned Member for Kilkenny (Mr. Marum), and that the House ought to relieve that Gentleman from the most unpleasant consequences of his being suspended.

Mr. WARTON said, he wished on this occasion to act in accordance with his usual principle, and to support the authority of the Chair. It was an unseemly proceeding for the House to be discussing the action of the Chair. It was very well for the hon. Member for Sunderland (Mr. Storey) to say that hon. Members had in past times obstructed Business; but that was in times of unscientific Obstruction; now they had scientific Obstruction; and he should certainly vote against the Motion.

Question put.

The House *divided*:—Ayes 29; Noes 61: Majority 32.—(Div. List, No. 243.)

WAYS AND MEANS.

Resolution [July 6] *reported*, and *agreed to*.

Instruction to the Committee on the Customs and Inland Revenue Bill, That they have power to make provision therein pursuant to the said Resolution.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1883, the sum of £5,703,891 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

House adjourned at half after One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 10*th July*, 1882.

MINUTES.]—Select Committee—*Report*—Law relating to the Protection of Young Girls [No. 188].

Public Bills—*First Reading*—Corn Returns (No. 2) * (187); Representative Peers (Scotland) Election Procedure * (190).

Second Reading—Prevention of Crime (Ireland) (186).

Report — Local Government (Ireland) Provisional Orders (No. 4) * (171).

Third Reading—Highway Rates and Expenditure * (173); Supreme Court of Judicature Amendment (179); Supreme Court of Judicature (Ireland) * (166), and *passed*.

PARLIAMENT — PRIVILEGE — INCORRECT REPORTS OF SPEECHES.

OBSERVATIONS.

Lord DENMAN said, he had to complain that, although he had been told by a gentleman in the Gallery that he (Lord Denman) never was heard more clearly than on the occasion of the recent discussion on reporting in their Lordship's House, yet *The Morning Post* was the only paper which stated any portion of what he said. If his words were worth reporting, it would save a great deal of trouble if they were taken down. He did not object to the omission of his remarks; but he objected to their being inaccurately reported, and even though they were put down as made by an anonymous Peer, he should be perfectly satisfied.

EGYPT (POLITICAL AFFAIRS)—THE FORTIFICATIONS AT ALEXANDRIA—INCREASE OF ARMAMENT—ATTITUDE OF THE BRITISH FLEET.

STATEMENT.

Earl GRANVILLE: My Lords, on Thursday last, in answer to Questions from several noble Lords, I informed your Lordships' House of the state of affairs then existing in Alexandria, and I stated that Her Majesty's Government were not aware that preparations of a hostile character were going on at Alexandria. Since then the British Admiral has reported that last week guns were being mounted on a fort five miles from the harbour. He was told that was beyond the range of the prescribed fortresses. Yesterday we were informed by the Admiral that it was certain that preparations were going on for action, and that guns were being mounted, and he proposed to send an ultimatum to the local authorities this morning. I have, in fact, no doubt that the Admiral has already this morning notified to the local authorities that unless there is a temporary surrender of the forts, for the purpose of disarming them, he will open fire upon them at daybreak to-morrow morning. My Lords, it is a painful thing for a powerful military nation like England to be obliged to exercise force against those who are weaker; but I believe in this case there is no alternative. These hostile preparations have been going on in defiance of the wishes of the Khedive, in defiance of the orders of the Sultan, and despite the assurances given by the local authorities themselves. Our act is simply an act of legitimate self-defence.

PREVENTION OF CRIME (IRELAND) BILL.—(No 186.)

(*The Lord Privy Seal.*)

SECOND READING.

Order of the Day for the Second Reading read.

Lord CARLINGFORD (Lord Privy Seal), in rising to move that the Bill be now read a second time, said, it now became his duty to submit to their Lordships, as clearly and as briefly as he could, the provisions of the Bill, which had been so long in making its tedious and stormy course through the other House of Parliament, and which had at last reached their Lordships. The Preamble of the Bill recited that—

> "Whereas by reason of the action of secret societies and combinations for illegal purposes in Ireland the operation of the ordinary law has become insufficient for the repression and prevention of crime;"

and he thought that, with the assent of the House, he might take that Preamble to be proved. He was sorry to say that the amount of proof had increased materially during the two months since the Bill was first presented to Parliament. There were one or two things constantly said with respect to crime in Ireland, either by way of consoling them under their present situation, or by way of argument against any exceptional measures such as that which was now before their Lordships, to which he should like for a moment to refer. For instance, it was constantly said that a comparison might be drawn between Irish crime of the present day and the crime of times past, which might be more or less favourable to their own time, and which was sometimes used as an argument against exceptional legislation at the present time. It was quite true that, in former years in Ireland, there had been over and over again terrible outbreaks of agrarian and other crime—at one time, as they knew, directed against the payment of tithes; and much might be said by way of comparison between the amount and atrocity of the crimes of those days and these; but he thought it was enough for their purposes to know, as they did too well, that they were now passing through one of those outbreaks of crime, due mainly to secret societies and combinations, and that they had to deal with that outbreak. He would not say that the present outbreak was worse or more hopeless than any that had preceded it; but it was, in one respect, more formidable, in that while it showed its close relationship with those that had gone before, and that they had not yet got rid of that unhappy past in Ireland, it had formidable features of its own, and more especially its connection with the dangerous aggressive power of certain classes of Irishmen on the other side of the Atlantic. But it was their Lordships' business to deal with this outbreak as it stood; and the present Bill had been framed especially in order to meet the present action of secret societies in Ireland. Then, another comparison had been constantly drawn between crime in Ireland and crime in this and other countries, and favourably drawn as regarded Ireland. All that might be admitted; but the answer was that such a comparison was not to the purpose. In Ireland, as in other countries, ordinary crime was to be dealt with by educational and other means; but the class of crime with which their Lordships had then to deal was no ordinary class of crime; it was crime of a peculiar and special character, and required special means to deal with it. He was one of those who were convinced that, in the long run, the traditional crime of Ireland could only be dealt with—they hoped eradicated—by measures of a different kind from that then before their Lordships; but, however that might be, no remedial legislation could be allowed to stand in the way of the duty now lying before them. No remedial legislation could be carried on—for it could bear no fruit, and at the best its fruit must be slow—under the shadow of those terrible and secret combinations, which were historical and traditional in Ireland, but which gained formidable force by the supplies of men and money from the other side of the Atlantic. It was against such crime that the Bill was directed; and the Bill had been most carefully and laboriously framed to deal with such crime. The provisions of the Bill, which were numerous and various, were, some of them, derived from a former Act—the Peace Preservation Act of 1870—not from the Westmeath Act, with which the Peace Preservation Act had often been confounded. Other provisions were new, and had been specially devised to meet the necessities of the present moment. He was glad to say that some of the most important of those provisions had the support of the Evidence and of the Report of the Committee of their Lordships' House appointed to consider the Irish Jury Laws, and which had been presided over by the noble Marquess who was not at present in the House (the Marquess of Lansdowne). He would now take the different parts of the Bill in their order. The first part consisted of provisions for a Special Commission. This was a remedy entirely new, and intended to deal with the impunity of crime, and that enormous difficulty of obtaining convictions for crime in certain parts of Ireland, even when proved, which he was inclined to think was more formidable than it had been, perhaps, at any former time. The Bill for this purpose dispensed with a jury, and constituted a Court of high authority, consisting of three Judges of the Supreme Court, with the right of appeal to five other Judges of the Supreme Court. This new Court would be called into action at the discretion of the Lord Lieutenant, who, when satisfied that, in the case of any person committed for trial for certain high offences, a just and impartial trial could not be had in the ordinary Courts of Justice, would remit those cases for trial to this tribunal. They all knew that the Judges of Ireland had shown their great unwillingness to accept the duty thus imposed upon them, and he had no doubt they had high motives for it. The reasons they gave were excellent, and would have been very strong indeed, if the necessities of the case were not far stronger; but, as it was, the Government had found themselves, after the most careful examination, compelled to adopt that course. It was needless for him to say that there was no precedent for investing any tribunal in the country with the powers of life and death in the absence of a jury; but that power it was intended to vest in this tribunal, the Government feeling satisfied that nothing less than the highest Court would suffice for the purpose. He would add that, whatever were the opinions of the Judges upon the subject, or whatever their natural disinclination, the Government felt, no doubt, that when called on, under the Bill, they would do their duty to the State and to the country. The next part of the Bill contained alternative provisions to those he had just described. It provided means which the Government hoped would, in many cases, make it unnecessary to call into action the great and exceptional tribunal he had just mentioned. These clauses would enable such a jury to be constituted as they hoped, in most cases at all events, would be sufficient for the purposes of justice. They would constitute a jury of a higher kind than any ordinary jury which could now be found in Ireland for the trial of criminal offences. They would constitute a jury consisting of special jurors; in many cases, of special jurors drawn jointly from the county and from the city, and the Lord Lieutenant had the power to call upon all the special jurors in the county or city to appear. In that way they believed, in some cases, at all events, a jury would be found able and ready to give impartial justice. They also provided for a change of venue on the simple application of the Attorney General. The third part of the Act also provided, for the trial of offences of a minor, but still very serious, kind, tribunals of a different sort to those which now existed. This part of the Bill was very strongly sustained by the important evidence given before the Committee of their Lordships' House, and was nothing more than an extension of the principle of the summary jurisdiction of magistrates to offences named in the Bill. The offences were all already known to the law, or in principle they all were. They consisted of such offences as riots, unlawful assemblies, taking forcible possession of land, aggravated acts of violence, assaults on officers of the law, unlawful meetings which had been prohibited by proclamation by the Lord Lieutenant, and so on. There was one offence included which might be said to be new, and that was that form of intimidation which was known under the name of "Boycotting." That, so far as it was a novel form of intimidation, had required new provisions. The principle of the clauses was that the offences which, as the law now stood, were indictable, and which, if convictions could be obtained from juries, were punishable with extreme severity, would now be dealt with summarily by two magistrates, and would be liable to punishment of a much less severe character. The maximum punishment to be inflicted for these offences would be six months' imprisonment with hard labour, and in some one or two cases less than that. The magistrates who would deal with these offences were not the ordinary unpaid magistrates of the country, but paid stipendiary magistrates, one of whom it was provided should, to the satisfaction of the Lord Lieutenant, be a man of legal knowledge and reputation. The object of that provision would be clear, he thought, without explanation on his part. An appeal was provided from the decision of these magistrates to the Chairman of the County Court at its next sitting. The next part of the Bill consisted of a number of general powers, all of them of considerable importance, and most of them known to the law. Two of them were in a certain sense new. One of them was a re-enactment of the Alien Act, 1848, which had never before been included in a Bill of this kind, but which was rendered specially necessary by the number and activity of those foreign agents from the other side of the Atlantic who they knew were doing so much mischief and exercising so much evil influence in Ireland at that moment. The other novel clause was one directed against newspapers which published incitements to sedition and outrage or intimidation. Such newspapers, wherever they might be found, would be seized under the Lord Lieutenant's order. All the other clauses were, he thought, contained in the Act of 1870, though they had been reconsidered in many respects, and, he was convinced, would prove more carefully guarded than ever against abuse, while losing nothing of their efficiency. They consisted of provisions for the arrest of suspicious strangers, which rested upon much the same footing as the re-enactment of the Alien Act, the power to search for arms or documents in houses, under the Lord Lieutenant's warrant, at any time during the day or night, the power to summon witnesses, even in cases where no one was charged with an offence, and the power to summon absconding witnesses. There was also power for the Lord Lieutenant to appoint additional constabulary in any district, and to charge the cost upon the district. Power was given, moreover, to the Lord Lieutenant to levy compensation in cases of murder and maiming upon the district in which the crime was committed. With respect to the search for arms and documents, as the matter was notorious, he would say that the clause stood now in the Bill as it stood when originally introduced into the House of Commons. The Government were informed by the Lord Lieutenant and the Irish Government when they reported on the Bill, that, in their opinion, the clause in its original form was not essential to the end in view. Acting on that opinion, the Government proposed that the clause should not be struck out of the Bill, but be amended by limiting its operation. That view of the Government was not shared by the other House of Parliament, and, therefore, the clause now stood exactly as it was introduced. He might say one word about the very important provisions as to compensation for personal injuries to be levied on the district, respecting which he thought a wise Amendment had been made on the Act of 1870. Under that Act the compensation, both as to the award and as to the amount of it, subject to appeal to the Judge of Assize, was absolutely left to the Grand Juries of the respective counties. Under the Bill it was thought better to place the power in the hands of the Lord Lieutenant, as it was believed there would be greater confidence in the decision of the Lord Lieutenant on a point of that kind than in the decision of a local body drawn from one class of the population. He thought these were the principal provisions in the Bill, although there were a good many other clauses subsidiary to those he had described. The Bill, as their Lordships would see, even from his explanation of it, was a Bill of a very varied character, which included a large number of provisions, and covered a great deal of ground. Many, including himself, believed it was all the better for that, and that it would be far more likely to attain the end in view. He did not know of any important point in the operations of crime in Ireland which the Bill did not endeavour to meet. Over and over again it had been described as a measure of oppression; but, for his part, he held that such a term could not be applied to it with any justice. In the first place, it would not be applied at all to those parts of Ireland where it was not needed. It had been carefully provided that it should be in the discretion of the Lord Lieutenant to apply the Bill, or almost any part of it, to the different portions of Ireland which might, unhappily, require the use of such powers; but it was his belief that, in many parts of Ireland, its operation, when it became an Act, would be unknown. That was his hope. Where it was applied he believed the peaceful and law-abiding population of the districts would find it, so far as they were concerned, not a measure of coercion, but a measure of protection; and he hoped they would feel—he believed they would feel—that it had been imposed upon them solely for the purpose of protecting loyal, peaceable, and honest men, and that under the imperative dictates of public necessity, which was the only justification—but the ample justification—for such a measure. He thought that from what he had said their Lordships would understand what powers would be conferred upon the Executive Government of Ireland by this very important Bill. They were stringent; they were severe; but they were necessary; and the Bill, in his opinion, was not so much distinguished by its severity and stringency as by its careful adaptation to the circumstances of the case. He was sure that those great powers would be used by his noble Friend the Lord Lieutenant of Ireland and the Irish Government with care and prudence, but, at the same time, firmly and efficiently; and he heartily wished—he was sure that wish was equally felt by their Lordships—that, being so used, they might revive and restore industry, confidence, and peace among the people of Ireland. He would now move the second reading.

Moved, "That the Bill be now read 2^a."—(*The Lord Privy Seal.*)

The Marquess of SALISBURY and Lord ORANMORE and BROWNE rose together, but the former gave way.

LORD ORANMORE AND BROWNE said, that was not the first Coercion Bill on which he had felt it his duty to comment. Bills of the kind were always introduced with many apologies and expressions of reluctance on the part of the Minister proposing them. Regrets that Ireland should be in such a deplorable state as to require these Bills he understood; regrets that the mistaken policy of Government rendered them necessary he equally understood; but he in no wise understood regrets on the part of the Executive that they had to fulfil their duty and enforce the law of the land, for that was the sole purpose for which they existed. He would ask the House shortly to consider whether the Coercion Bill was any hardship. It was not the enactment of a new law. The title should be a Bill, not for "prevention," but for repression of crime. He had a doubt as to whether the Bill had been sent to their Lordships' House in a sufficiently perfect state to enable them to pass it into law within any reasonably short period of time, for it was a long and complicated measure, and deserved at their Lordships' hands the most careful consideration. He did not think it was a measure that should be passed in a hurry. He had carefully gone through it, and had tried to follow the noble Lord (the Lord Privy Seal), with a view of getting at its general efficacy for the purposes for which it was devised; and he must say that, in his view, it contained several provisions which it would be found not very easy to work. For instance, by the 1st clause unanimity was required of the three Judges who would take the place of the jury—that was, as he read the Bill, not only unanimity in regard to a verdict of "guilty," but unanimity of opinion in regard to any point of law that might be raised. If that was the case, he doubted whether a guilty person brought before these Judges would not have a better chance of escaping punishment than before a jury of impartial men. Moreover, if crimes continued as numerous as at present, and persons were brought to trial, would not the large number of Judges required by the Bill for the hearing of an appeal under it cause a deadlock in the ordinary business of the Courts? Would not great delay occur before any sentence could take place? And would not that result in a miscarriage of justice? Clause 4, the clause relating to special jurors, he thought rather harsh, for its effect would be to impose a heavy penalty upon a numerous body in Ireland if they refused to subject themselves to the risk of being shot. In the present state of affairs in Ireland, no one who laid down at night could be sure that he would not be murdered before morning; and therefore it seemed a little unfair and hard upon the special jurors if they imposed upon them a fine of £20, if they did not choose to take upon themselves the additional risk of rendering themselves obnoxious from sitting on special juries. By the 2nd sub-section, 12th clause, it was enacted that any person arrested under the Act must within four days be brought before Justices in Petty Sessions; but that provision could not be carried out, for in many Petty Sessions districts in Ireland the Justices did not sit above once a fortnight, and often less frequently, as they were not held during the sitting of Assize or Quarter Session Courts; and it was, therefore, quite possible that persons arrested could not be brought before them within four days, and in that case were the persons to be liberated? Then the 13th clause, applying to newspapers, he considered the weakest and most paltry. The only power given was to seize a special copy of an offending newspaper, no power being given to seize the plant or prevent publication, or interfere in any way with those engaged in the publication. Thus, no sooner was one edition seized than another could be published and circulated. Under those circumstances, he thought the clause perfectly useless. He thought the 19th, the Compensation Clause, was too weak, and that its administration should be placed in the hands of experienced magistrates, rather than in those of briefless barristers, who would know nothing of the districts. Where would they get a barrister of six years' standing, unless he were a briefless one, outside those employed already? The 27th clause said that trial would take place within two months; but no time was fixed for the appeal to take place. There were some other points to which he objected, but which might be subject to examination in Committee, and no apprehension of passing amended clauses in the House of Commons ought to deter their Lordships from improving the Bill, so far as it was in their power to carry out desirable modifications. They were told by the Government that they must not look at the state of affairs at the present time, but what it would be after the Bill had passed. Well, the remedial measures of the Government had not been very successful hitherto in Ireland; but that, no doubt, was an observation that might have been made use of from the time of the Deluge downwards; but he did not think the country should be kept in its present state merely for the purpose of enabling the Government to make experiments in legislation. Such measures as these were not merely experimental legislation, or a change in the law. They were merely measures for enforcing the existing law, and he held that the Executive existed only for this purpose—to enforce the law for the protection of civilized society. The law was entirely confined to the suppression of crime, and without it society could not exist at all. Then there was a great difficulty in the Bill—a difficulty which was always felt in this country—namely, the evil of suppression of trial by jury. When they considered the whole of this question—the animosity which had existed from national antipathy, from antipathies of race and religion—he did not think that they could wonder that trial by jury did not succeed; but he thought they might wonder how it was possible that society had existed so long when the suppression of crime was carried out through that process. Their Lordships must take also into consideration, when thinking of and endeavouring to account for these animosities, that in the last half-century what was called the liberty, but what he called the license, which had been given to public teachers of all kinds in the language they used, as well as the license of the Press, which was certainly a dangerous experiment among an excitable people like the Irish people, who were naturally excitable and in no way prone to continuous industry. Such a people were easily led to prefer living at their neighbour's expense, or at the expense of the State, to earning the poor subsistence that was the inevitable lot of small farmers. Besides, when they were told by the Prime Minister that force and murder were the means of gaining their political ends, and when he supported that advice by these measures of confiscation which had followed so rapidly one on another, he (Lord Oranmore and Browne) did not think their Lordships could be surprised that juries in Ireland would not convict those persons who were, though by more violent means, carrying out the views which had been encouraged and expressed by so high an authority. Now, coming from him (Lord Oranmore and Browne), these words would have little weight; but he must refer a little back to the part he had taken for the last 12 years in the House. In 1870, the Prime Minister, in introducing a measure, in the shape of a Land Bill, which transferred, without compensation, a portion of his property from the landlord to the tenant, made a statement in a few words, in order to induce Parliament to sanction the Bill, "that it was a message of peace." But as he (Lord Oranmore and Browne) had predicted, it was "crying peace where there was no peace." Contemporaneously with that measure, the then Government, which was nearly formed in the same way as the present Government, were obliged to bring in a Coercion Act, although there was already one existing at the time. Well, what was the result? Why, that while it continued in force crime diminished. Before its expiration, however, a Conservative Government introduced a similar measure; but, under pressure, they weakly yielded many of its most salutary provisions, and as powers of repression became feebler, crime again gradually increased, and, when coercion ceased altogether, crime had risen to the deplorable state of things which now existed. Their Lordships might take his authority for that. It was recalled to his mind by the Chief Secretary for Ireland and the Lord Lieutenant bringing forward statistics that crime had increased or decreased to a more or less serious extent concurrently with coercion, and the Chief Secretary for Ireland advanced the fact as a ground for the necessity under which he asked Parliament to pass the present Bill. He (Lord Oranmore and Browne) was much surprised to read what the Chief Secretary for Ireland stated with regard to the necessity for coercion. He said he was very glad the experiment had been tried, because it convinced the Radicals of England and Scotland that Ireland could not be governed without it. Well, that might be an answer; but the right hon. Gentleman and the English and Scotch Radicals should never forget that that profession and that conviction had been arrived at only by a sad loss of life in Ireland, and by a creation of a state of anarchy that he (Lord Oranmore and Browne) could not hope or hardly believed this Bill would renovate. He felt it his duty to say that much; and all he had further to remark was this—that whether this Bill was successful or not depended entirely how it was put in force. He heard the noble Lord who sat opposite (Lord Carlingford) begin by explaining the Bill away. He said that he hoped, indeed, that it would be little used. Well, he (Lord Oranmore and

Browne) wished it to be little used. He perfectly concurred with the noble Lord that far; but the noble Lord afterwards added words which took a different turn, saying he hoped it would be used, firmly administered, and carried out effectually. Of course, what the noble Lord said was of greater importance than what he (Lord Oranmore and Browne) said; but he hardly thought that the acerbity of feeling which existed in Ireland would be removed by what he might term legislative urbanity. The effect of the Bill, as he had said, would depend very much upon how it would be put in force, and he did not like to hear the noble Lord expressing a hope that it would not be felt at all in Ireland.

LORD CARLINGFORD (LORD PRIVY SEAL): I said—

> "In parts of Ireland, and, in fact, in many parts of Ireland, it would not be necessary to apply it."

LORD ORANMORE AND BROWNE knew what the noble Lord said, and he said more than that

LORD CARLINGFORD (LORD PRIVY SEAL): I said what I have stated.

LORD ORANMORE AND BROWNE said, the larger the area was in which it was not necessary to apply the Act the more grateful should he be, as well as the noble Lord. But what the noble Lord had said, taken in conjunction with what had been said "elsewhere," justified him in saying that there was no agreement as to whether this measure of repression should be more or less extensively applied. They knew that the last of the three remedial measures—the letting out of the "suspects"—had led to a large and serious state of crime, as well as to the most disastrous prostration and discouragement of the artizan classes in Ireland. Their Lordships could not know in that House, except those who came from the disturbed parts of the country, or who were in constant communication with it, of the wail there was from every good and strong and honest man at the present state of the country, and how hopeless they were even of the effects of the measure proposed. Well, they did know also that a great change had recently taken place in many instances in the conduct of the Government, and he knew of one instance in which a hut had been erected for the wife of a man who was now in prison under suspicion of murder—one of those wicked murders lately committed; and all this was an indication of want of purpose, and of a weakness of policy; and if the Bill was not carried out in a totally different way from which it had been indicated, it would be only an encouragement to crime, instead of tending to its suppression. In many respects the measure was a good one; but if some of the details were improved, the Irish Executive would have infinitely less trouble in repressing crime and in detecting criminals.

THE MARQUESS OF LANSDOWNE said, that he thought the Bill might be regarded as an honest and courageous attempt on the part of the Government to deal with an evil, the serious dimensions of which were becoming every day more apparent. He agreed with a great deal that had fallen from his noble Friend the Lord Privy Seal in his opening speech. He agreed with him, also, in thinking that the strength of the Bill lay very much in the extent of the ground which it covered, and in the manner in which its different clauses were framed to deal with the different phases of Irish crime and disaffection. There was another observation of his noble Friend the Lord Privy Seal in which he also entirely concurred, and that was that the stringency of this Bill would not be very distasteful to the masses of the people of Ireland. Their Lordships would probably never know the exact number or the exact extent of the operations of the miscreants who had lately been disorganizing society in Ireland, and bringing disgrace upon their country; but he thought they might confidently say that their strength lay not so much in their numbers as in the impunity which had attended their operations, and in the inadequacy of the law to deal with them. The great mass of the people of Ireland were not conspirators or assassins, nor were they naturally abettors of conspiracy and assassination. They had, he believed, since the struggle had been proceeding, watched its progress closely, and many of them had not unnaturally wished to range themselves on the stronger side. He believed there were thousands of people in Ireland who, not being, perhaps, guided by any very strong principles in this matter, would be ready to return to their allegiance to the law when they saw that the law was strong enough to protect them. There was another reason which made him think that the Bill would not be very deeply resented by the people of Ireland. It appeared to him that the greatest sufferers under the cruel despotism which had lately prevailed in parts of the country had been the peasants themselves. Their Lordships had been shocked and horrified by the commission of crimes which had struck down persons in high places—magistrates, landlords, and others belonging to that class—but none of those lamentable occurrences were to his mind more shocking than the manner in which the defenceless members of the farming classes had been treated by the persons belonging to that very class themselves. A landlord or magistrate might take precautions; he might desert the country or fortify his place of residence, or he might obtain suitable protection; but these miserable peasants, living in their remote habitations, without any means of protection, spent their days and nights under a load of apprehension and anxiety which must be absolutely crushing. He knew of no picture more shocking than that which their Lordships themselves were able to draw in their imaginations of these miserable people with their cowering wives and families night after night expecting the commission of one of those barbarous outrages which had horrified them so much of late. How many persons thus situated must have become first cowards, then rogues, and at last criminals. With regard to the provisions of the Bill itself, it did not appear to him that there was much necessity for a very minute or searching examination of them. They had been thoroughly and sufficiently discussed already in "another place." He would therefore only make one or two passing remarks with regard to them. In the first place, with regard to the first clauses of the Bill—those which provided the machinery to be substituted for trial by jury—he did not think anyone could have read the evidence which was laid last Session before the Committee of their Lordships' House, and have thus become acquainted with the true facts of the case, without feeling persuaded that the time had come when it was necessary to discover in Ireland some means of trying persons accused of agrarian crime less open to abuse than trial by jury. He was of that opinion when he ventured to bring the subject before them a few months ago, and he did not think that much had happened to change the opinion that he then entertained. He believed the alteration of the law which Her Majesty's Government proposed would have two good results. It would, in the first place, lead to the conviction of the accused persons when evidence in support of the accusation was given against them; and it would, in the second place, lead to evidence being forthcoming to a much greater extent than at present. At present, in many districts of Ireland, a witness appearing in an agrarian case knew perfectly well that he would be punished, and that the accused persons against whom he bore testimony would be triumphantly acquitted. He did not know whether their Lordships had seen a report in the newspapers of a case tried at the Longford Assizes. A man of the name of Lalor happened to overhear a conversation between some persons planning a "Boycotting" conspiracy against someone in the neighbourhood. He informed the police, and a few days afterwards was struck down on the public road; and, as he lay, 12 pistol shots were fired into his body, and 10 wounds inflicted. As he lay writhing in his agony, a neighbour approached, whom he begged for help; but the man passed by without heeding him. He crawled to the nearest house, but the door was shut against him; and not until the police took him to the barracks was any assistance given him. A man named M'Cormack was tried for the offence. Lalor positively identified him as a man whom he had known for eight or nine years. This man, when apprehended, was found covered with bloodstains, some of which he had attempted to wash out. Lord Justice Fitzgibbon, in summing up, commented strongly upon the conclusive nature of the case which had been made out by the prosecution, and upon the positive manner in which the accused had been identified. The defence was an *alibi*, but his Lordship expressed his belief that the *alibi* had not by any means been proved conclusively. He said that it was evident that the witnesses had no means whatever of fixing the time accurately, as they had no watches, and he thought the prisoner would have had ample time to have gone to the scene of the outrage after he had been seen by the various witnesses who had given evidence in support of the *alibi ;* and he concluded by imploring the jury to return a verdict which would show that they were worthy of the trust reposed in them by the law of the country. The jury, after an absence of about 25 minutes, returned into Court with a verdict of "Not Guilty," which was received with applause in Court. The prisoner was discharged, and was then carried through the streets on the shoulders of the crowd, who cheered for the "suspects" and the Land League. Now, he would ask their Lordships, how was it possible, in the disturbed state of public feeling as evinced by the proceedings at that trial, in which the innocence of the prisoner must, at all events, have been open to the gravest doubt, to expect that a jury formed of the agricultural classes was likely to return a verdict in accordance with the evidence? He observed that, since this Bill was first printed, clauses had been inserted to which his noble Friend the Lord Privy Seal had especially referred, providing for an alternative mode of trial by special jury and change of venue. The Committee, to whom he ventured to refer just now, obtained important evidence upon that point, and they recognized, to the fullest extent, the importance of having recourse to an occasional change of venue; and, for his part, he should have been very glad if it had been possible for Her Majesty's Government to content themselves with resorting to this particular modification of the law without going further. It was, however, quite evident, in the present state of Ireland, that to depend upon a change of venue alone would be absolutely impossible, and his only doubt was whether in a Bill of this kind, where simplicity and intelligibility were the great objects, it was wise to provide the means for two alternative methods of trial, which might, perhaps, in the public mind of Ireland, be regarded as providing a loophole through which a guilty man might find a means of escape. Passing from that clause, he would only make one observation with regard to the Press Clauses. They had been very considerably altered during the progress of the Bill through the other House, and he was bound to say that so very little was left in the 13th clause as it now stood, that he questioned very much whether it would not be wiser to expunge the clause altogether from the Bill. Unless he misunderstood the clause, the only power which it gave to the Executive was that of seizing a particular issue of a particular paper, after the issue containing the criminal matters had been put in circulation. To his mind, that was very like locking the door after the horse was stolen. His noble Friend the Lord Privy Seal had very properly, he thought, directed attention to the clause in the Bill under which the Lord Lieutenant was empowered to levy compensation for a certain class of crimes on the district in which those crimes were committed. He (the Marquess of Lansdowne) believed that the clause would have a most valuable deterrent effect; but he owned that he should have been glad if they had some little information as to the principles upon which that compensation was to be levied. He had seen it stated that regard was to be had to the ability of a district to pay, and to its moral complicity with the crime, and to other circumstances. There were, however, to his mind only two principles upon which they could proceed in dealing with the question of compensation. They might treat it as a penal matter, or as a matter of compensation; and he did not think it was quite clear on which of those two principles Her Majesty's Government proposed to proceed. For his own part, he owned that it seemed to him the penal theory was the sounder one; because, if they limited it to a mere question of compensation, it was a little difficult to escape the conclusion that murder and mutilation might be cheap or dear according to the professional or social status of the persons murdered or mutilated. He should be sorry if it were not made clear upon the face of the Bill that the compensation was to be a distinctly penal compensation, and he thought there should be some provision for relieving the district of, perhaps, a part of the levy, if the criminal were given up and the crime detected after the levy had been imposed. He was aware that, owing to circumstances which must be obvious to everyone, it would not be possible for them to make very considerable alterations in the Bill, or, indeed, any alteration at all. He agreed very much with what had been said by the noble Lord at the Table (Lord Oranmore and Browne), that it was most undesirable to consider measures of this importance without reference to their amendment; but when they remembered what the Bill had already undergone in "another place," and, above all, when they remembered that any delay in passing it into law involved most serious consequences to life and property in Ireland, he owned, for his own part, that he was ready to forego any attempt to modify the Bill in its details in their Lordships' House. He joined with his noble Friend who had moved the second reading of the Bill in hoping that the Bill would be successful. They might trust to the high character of the noble Earl who would have to administer it for its impartial administration. He hoped that they might trust him also to administer it with a firm and resolute hand.

Lord WAVENEY pointed out the importance of the Bill containing the germs of future improvement. He was glad to find the doctrine of the collective responsibility of the districts acknowledged; but he must say that, having had large experience in the assessment of compensation for malicious injuries in Ireland under the Grand Jury system, he doubted very much whether a just and reasonable compensation could be properly apportioned off the distressed districts in which crime was committed, for he could not forget that in many places the inhabitants were of the poorest character, and subject, to a great extent, to that coercion of which the noble Marquess who had just sat down (the Marquess of Lansdowne) had drawn so thrilling a picture. It must also be remembered that the districts were very small, and, in addition to that, their railway systems enabled criminals in many cases to elude detection, and get away, leaving the district liable to be assessed for the crime committed. The remedial character of the measure must be always borne in mind, otherwise the great sorrow and suffering of the country, and the sacrifices they had been making during the last 50 years would be thrown away. Therefore, he thought the Act shonld be supplemented by other means, and he believed it would be perfectly possible to find means to interest the population in the repression and discovery of crime. He would suggest that the police should be relegated to their proper duties and the soldiers used for the purposes of search and other similar duty. This would leave the police free to perform their real and most important task—the detection of crime. While concurring in the view that it was undesirable to delay the Bill by introducing Amendments, the only exception he should take to it was that in the matter of proclamation and police the old system was adhered to which had proved for a long time so ineffectual. He would recommend an Amendment which should provide for the revival of the old practice, prevalent in the time of the Tithe war—that, in districts which were proclaimed, every individual should be required to be known to the magistrates and make his identity clear by producing papers on every occasion when challenged. That would render the presence of criminals in a district more difficult. With regard to their trial, he agreed in thinking it preferable to have one method and not two; but he fully concurred with the Government in deprecating the use of courts martial, and he was glad they had given the local Justices their proper rank and position. In conclusion, he would congratulate the Government on the completeness of the measure; it was, on the whole, moderate in its provisions, far-reaching in its scope, and he believed that in the three years it was to last it would be found, if firmly administered, to have done a great deal of good. He believed the clauses, stringent though they were, were preferable to courts martial, since they provided an elastic and, at the same time, responsible machinery, and he trusted their effect would be to restore peace and tranquillity to the country.

The Marquess of SALISBURY: My Lords, I am disposed to agree with the noble Marquess who spoke last but one (the Marquess of Lansdowne) in the opinion that it is desirable for the House to accept this Bill as it is proposed by Her Majesty's Government, and on the responsibility of Her Majesty's Government, and not to undertake themselves to add any difficulties to the present Government of Ireland by taking steps which would produce delay in the ultimate passing of the Bill. This Bill, as your Lordships know, has had, in "another place," a most tempestuous history —a career more full of incident than it is likely to meet with in this House. It has been distinguished by the most remarkable campaign of Obstruction which our generation has known—a campaign of Obstruction so peculiar that very exceptional remedies were required to repress the evil. It was necessary not only to suspend the Irishmen who did obstruct, but also those who did not obstruct. The Bill, in fact, was only passed by a whiff of Parliamentary grapeshot; and I have no doubt that, in future times, when the present condition of Ireland has passed away, this will be the leading case for the disposal of difficulties arising out of the conduct of Irish affairs, and that the model of vigour and impartiality that has been set by the Chairman of the House of Commons will guide and illuminate its decisions for many a long day in the future. In this House I see no probabilities of Obstruction such as has been experienced in the other House. Two Irish Peers have addressed the House on the Bill, and they have neither opposed the Bill, nor raised any undue obstacle to its speedy passage; and certainly the noble Marquess (the Marquess of Lansdowne), who has spoken on the Bill, sees no reason for a discussion of its provisions, and, therefore, I can see no reason on our side for doing so. But, at the same time, I can hardly allow it to pass without recalling to your Lordships' minds that some of the provisions which it contains were already, in some form or other, not new to Parliament; and that when this Parliament began, provisions were in force for the search for arms, and still more important provisions for imposing on districts, where crime had been committed, a species of pecuniary penalty for the complicity which the absence of evidence denoted. These were on the Statute Book, and were deliberately allowed to disappear from the Statute Book by the action of Her Majesty's Government. At the time, that abstinence of Her Majesty's Government was described as unwillingness to interfere with the liberties of Irishmen, and sanguine hopes were expressed that no further measures of restraint, beyond those of the ordinary law, would be required. I only recur to this fact for the purpose of noting how evil in its effects upon the history of Ireland this most ill-timed and inopportune optimism has been. It appears to me that much of the difficulties which successive Governments have met has arisen from the fact that they have never been willing to look at the odious and disagreeable facts sternly in the face, and boldly take measures at once for the worst evils which it was likely would arise in Ireland. The provisions of the Bill, under any circumstances, I should not think it necessary to discuss in detail on the second reading; and as we are most of us agreed that we do not mean to amend the Bill, perhaps it is a superfluous task to point out its defects. The only provision which, I may say at present, causes me concern, and which I accept with great reluctance, is that which makes the Judges the judges of questions of both law and fact where the person on trial is in jeopardy of his life. Such a proposition is absolutely new to our law, and, as such, has been accepted with great and intelligible reluctance by the Judges themselves who have to administer it, and who feel that their power for future usefulness will be compromised by it. They themselves doubt whether they will be the most efficient agents for putting into practice this new law, and they think those duties might better devolve upon other persons. I should have been better pleased if the clause with respect to venue had received a slight extension, and that the Three Kingdoms had been treated as one United Kingdom, so that, if necessary, we might change the venue to England and Scotland in cases where a fair trial could not be expected in Ireland. Such a proposal, of course, would be open to certain objections and difficulties; but it would have also this enormous advantage, that it would make no change in the structure or principle of the ordinary law. Then, as for ages past, there would still be a jury of fellow-countrymen to determine on the facts with respect to which a person had been accused, and the only change there would be would be a change of venue from any part of Ireland to any part of the United Kingdom. I believe such a change would have been open to less objection than the one taken, and would have met all the objects that the Government had in view. While I make this observation, I do not think the probable evils are sufficiently great to justify our delaying the Bill by an attempt to change it in this respect. Those who have spoken on the Bill have touched on the necessity of the Bill with great regret; and I am glad to observe that not even the noble Lord the Lord Privy Seal has indulged in the over-sanguine language which was indulged in by the Prime Minister in "another place" with respect to the condition of the country for which the Bill is intended. The noble Marquess (the Marquess of Lansdowne), as I understood him, spoke of many of the peasantry of Ireland submitting to the tyranny of the existing organization of crime, and submitting to it unwillingly; and he said he believed their sympathies would be on the side of the assertion of the supremacy of the Government. I must say I thought the anecdotes the noble Marquess went on to tell us, little proved that there was any objection on the part of the peasantry to the organization of crime; but, however that may be, I feel sure that, in this country at least, if any attempt was made by any organization, however unscrupulous, to terrorize the majority of the population, with the help of the Government or without, the organization would fail, for there would be no organization or power devoted to crime which would have the effect of preventing the English people from repressing it themselves; and I can hardly believe that the Irish peasantry are less courageous than the English. The noble Lord the Lord Privy Seal himself acknowledged that the difficulty of obtaining verdicts had arisen to a height for which there was no precedent in the history of Ireland, and which was the real explanation of portions of the Bill; and it is precisely the difficulty of obtaining verdicts from a jury which shows you how far the sympathy with those who in Ireland are accused of crime has penetrated among the masses of the people. My fear is that the case is very much worse than it has ever been before; and the difference between this and former periods in the history of Ireland seems to lie in this distinction—in former times we have had organizations very elaborate and certainly unscrupulous enough, but they were organizations which came into existence in order to relieve people from the pressure of some particular law or institution to which they were averse, and which they believed pressed upon them; but we have never, so far as I know, had until now an organization of assassination, extending itself throughout the country and sparing none, however exalted in their office or their station, of which the object is not the removal of a particular and objectionable law, but the attainment of a great political revolution. My Lords, the use of assassination as an instrument for obtaining independence is new in the history of Ireland. That is the peculiar gravity of the present case; that is why we regret that the Government did not gird themselves at an earlier hour to struggle to the utmost against this evil; and that is why I now entreat them not to allow any incident which has happened "elsewhere" to weaken the zeal and determination with which they will apply the large powers given them under the Bill for the purpose of extirpating the most dangerous evil with which the Sister Country has ever been affected. Whether such a Bill as this will effect its object, unless other and greater changes happen, may well be doubted. I have long believed that the main fault lay, not in Ireland, but in this country; that this country has never grasped the real nature of the problem with which it has to deal, and the real extent of the duty which is imposed upon it in connection with that unhappy people. It has never understood that Ireland, to be governed effectually, must be governed upon principles different from those which have been practised of late by Her Majesty's Government, and which are sufficient for so easily-governed a country as England, and must be governed with a steadiness and stability of purpose and a unity of policy with which in this country we are able to dispense. The noble Lord the Lord Privy Seal spoke of the necessity for remedial measures, and said his faith was pinned upon them—that he looked to them to solve the difficulty by which we are embarrassed. He said that the fruits of remedial legislation must be of slow growth. Well, my Lords, remedial measures, in the language of the present Government, began about 13 years ago. They may say 13 years is not time enough for any remedy to come to its full fruits; but surely, if we are to pursue this figure—this metaphor—I think that even the slowest growing plant might be trusted in such a period, at least to show above ground some signs of growth, to display some little leaf or stalk to indicate that the husbandman's labours have not been entirely in vain. The figure, however, does not enable one to contemplate what the husbandman's feelings would be, if the seed was to act in an opposite direction to that which it was intended to do. We do not understand a seed growing downwards; but, if such a seed existed, it would be the only fit simile for the remedial measures of Her Majesty's Government. The growth with them has been all the wrong way; it has been all downwards, and the condition is worse than ever, worse than it was when the remedial measures began to be applied. There is not only not the faintest symptoms or token to encourage us to believe that they will remedy the evils with which we are struggling, but every indication is in exactly the opposite direction. It must not be thought that plants of this kind, which are necessarily of slow growth in Ireland, are the only ones that are planted. There are other husbandmen at work besides Her Majesty's Government. There are other fruits resulting from their labours, which grow more speedily to maturity; and the Irish criminal class — at all events, that species of Irishman to whom the present disturbances are due—has for a long time been able to witness the results of an agriculture far more successful than that of Her Majesty's Government. Year after year he has steadily in the spring time sown the seed of outrage and assassination, and he has invariably been rewarded by a crop of so-called just and wise measures of concession in the autumn. That is an expectation in which he has never been deceived; and as long as that expectation is not deceived, as long as he can calculate that this seed will produce this crop, that this harvest invariably follows upon this particular mode of culture, so long, I fear, will all measures which you may pass for coercion and for the repression of crime be of no avail. He has gradually unlearned the belief he formerly had in the strength and purpose of the English Government. He has obtained result after result, measure after measure, by the practice of those very crimes against which you put in force what have been futile remedies. He has assassinated, that the Irish Church might be abolished, and the Irish Church was abolished. He has assassinated, that the Irish land system might be revolutionized, and it has been revolutionized. He has assassinated again, that his debts might be paid by the State, and now the Prime Minister is meekly proposing that the State shall pay his debts. I say that so long as these lessons in favour of assassination are taught by the Government that rules in this country, so long will such measures as these — however we may sympathize with the desire that suggests them, and however earnestly we may hope that success may be based upon them—so long will they be an incomplete remedy for the terrible evils with which we have to cope in Ireland.

Motion *agreed to;* Bill read 2^a accordingly.

Then order for considering Standing Order No. XXXV., in order to its being dispensed with, read, and *discharged:* Bill *committed* to a Committee of the Whole House *To-morrow;* and Standing Order No. XXXV. to be considered in order to its being dispensed with.

INDIA—MADRAS PRESIDENCY—SARVEPALLI CHENCHU RAMIAH.

PRESENTATION OF PETITION. QUESTION.

LORD STANLEY OF ALDERLEY, in presenting a Petition from Sarvepalli Chenchu Ramiah, late sub-magistrate Madras Presidency, and to ask, Whether the India Office has made any inquiry into the matters set forth in his Petition to the Secretary of State for India of the 17th of February, 1882? said, that the Petitioner alleged that he had been accused of bribery, but that the charges had not been proved by any evidence. That statement must be true, since otherwise it would have been the duty of the Government to have dismissed him from the service. The Government, however, thought he was not fit for magisterial duties, and directed that he should be appointed to another post. Mr. Hardinge, the acting collector of Nellore, then reduced him to a temporary post of 35 rupees—though there were several posts at 70 rupees in the Hazur establishment—by which he would lose his pension after serving 15 years. The

Madras Government asked the collector of Nellore in August, 1881, why the Petitioner had been thus treated. After a delay of three months, Mr. Grose, the collector, invented, according to the Petitioner, a new charge of insubordination and of being absent without leave. This, the Petitioner represented, was false, and proved to be so by *The Nellore District Gazette* of August 7th, 1880, which published the sick leave granted by the collector, Mr. Grose, himself to the Petitioner. Reference to that Gazette ought to be enough to show whether the allegation of the Petitioner in this respect was true or not. If true, it would show that he had been unjustly treated by the collector, and that the Madras Government trusted to him too much, and left too much in the hands of that subordinate official. He would conclude by asking whether the India Office had taken any notice of the Petition to the Secretary of State of February 17th of this year, and made any inquiry? If the India Office were to treat as waste paper all the Petitions made to it that were not transmitted by the Government complained of, there would be no check upon the conduct of the subordinate officials, whose acts were nearly always supported by their superiors.

VISCOUNT ENFIELD: Nothing is known of a Petition of the date of February 17, 1882. But a Petition dated May 5, 1882, was sent by this person from India direct to the Secretary of State, instead of being transmitted through the Government of Madras as required by the rules as to such memorials. It was therefore sent back on the 9th of June by post to the Government of Madras for return to the Petitioner, and the India Office has made no inquiries into the matters set forth in the Petition.

Petition *ordered* to lie upon the Table.

ARMY (AUXILIARY FORCES)—FIELD GUNS FOR THE VOLUNTEERS.

QUESTION. OBSERVATIONS.

LORD TRURO asked Her Majesty's Government, Whether, after the Report of His Serene Highness Prince Edward of Saxe-Weimar, who commanded-in-chief at the late Volunteer review at Portsmouth, stating "that 40-pr guns are unsuited to field manœuvres, and far too ponderous to be used otherwise than as guns of position," they will consider the propriety of issuing a certain number of light guns to Volunteer corps where the inspecting officers reported their ability and fitness to horse and man them effectively? The noble Lord said, he regretted that the Volunteers were not now permitted to have that share in higher command, such as brigadiers, which they had hitherto enjoyed, and to which he thought their efforts entitled them. The history of field guns in the Volunteer Service was this—that on application being made for them to Lord Palmerston and Sir George Cornewall Lewis, it was decided that a reasonable number should be provided. Subsequently, on the death of Lord Palmerston, these were withdrawn. The number of guns in the Field Artillery to support the Regular Army was 160. But there was not one single Field battery to support the whole of the Auxiliary Forces, which included Reserves, Militia, Yeomanry, Pensioners, and Volunteers. In consequence, however, of some remarks in the Press that a Volunteer field day without artillery was absurd, a certain number of guns were issued. But were they available guns? No; they were 40-pound Armstrong guns which had been made for India, which could only be properly drawn by 12 horses—guns of position, in fact, weighing three or four tons. He thought it right, therefore, to ask whether these guns were to be continued? The Volunteer Artillery Force occupied a ridiculous position through not being properly provided with the weapons which the country intended for them, and without those weapons they would be of little avail should a day of trial come.

THE EARL OF MORLEY, in reply, said, he must complain that some of the noble Lord's (Lord Truro's) observations were not closely relevant to the subject-matter of the Question, which in itself was a very reasonable one. The noble Lord had mentioned the Report of a distinguished General on the Portsmouth Review. He (the Earl of Morley) maintained that the question of the accuracy or inaccuracy of that Report was wholly irrelevant to the matter under consideration; but he must say that on such a subject as the conduct of Regulars or Volunteers, he should prefer the opinion of a General possessing such experience as Prince Edward of Saxe-Weimar, to the opinion even of so experienced a Volunteer as the noble Lord. The inference which the noble Lord appeared to wish the House to draw from his arguments was that the military authorities were responsible for not having afforded the Volunteer Artillery an opportunity of practising with field guns. The expediency of arming the Volunteer Artillery with field guns was not a new question, and there had not been absolute unanimity with regard to it. He would refer his noble Friend to the Report of a Committee which was presided over by his Predecessor in Office (Viscount Bury), and included among its Members Sir Robert Loyd-Lindsay and other experienced officers. In that Report the difficulties accompanying the formation of Volunteer field batteries were pointed out, to the effect that it would be an unsatisfactory measure, owing to the difficulty of training the men to the variety of operations that were required of field artillerymen and the great expense and trouble involved in obtaining and training the necessary horses. The noble Lord seemed to look down upon the proposal to employ Volunteers as garrison artillery, and in working guns of position; but, from all that he (the Earl of Morley) had been able to gather, the opinion of high military authorities was that that was the kind of service in which Volunteers would be most useful. England had an immense seaboard to protect, and he thought he was right in saying that in no branch of the Service did the Volunteers show themselves more efficient than in the Artillery. The opinion of the noble Lord as to the guns of position differed from that of any military officer of experience with whom he conversed. He could not encourage the noble Lord in the hope that field batteries would be organized from the Volunteer Artillery, there being too many difficulties in the way of such organization. If it could be done cheaply and effectively, something might be said for it; but to organize batteries which would not be efficient would be almost worse than having none at all.

LORD **WAVENEY** considered that the 40-pounder guns were too weighty for expeditious manœuvring.

REPRESENTATIVE PEERS (SCOTLAND) ELECTION PROCEDURE BILL.

BILL PRESENTED. FIRST READING.

THE EARL OF **GALLOWAY** rose to call attention to the Report of the Select Committee appointed to inquire into the present state of the law as to claims and assumptions of titles of Peerage, &c., and to present a Bill for carrying out its recommendations. The noble Earl, who was very indistinctly heard, was understood to say that it was now 14 or 15 months since a Motion for a Committee to inquire into the question of claims and assumption of Peerages was carried. The Committee had sat several times; but its Chairman had died, and it had been his (the Earl of Galloway's) duty to move the re-appointment of the Committee. The Committee had consisted of a very large number of Peers, and had come to the decision that there was nothing particular as regarded Irish Peerages that wanted looking into, or change of any sort or kind. Sir Bernard Burke, as Ulster King-at-Arms, had given evidence, and shown that on him rested the responsibility for the authorized Roll of Peers in Ireland, and it was thought that if the same course were followed in the case of Scotland as was followed in that of Ireland, the results would be advantageous. Sir Bernard Burke's evidence, he would repeat, was of value as showing that upon him alone rested virtually the responsibility for the authorized Roll of Peers in Ireland. He (the Earl of Galloway) thought it would be a good thing if the Lyon King-at-Arms, who held the corresponding position in Scotland, were charged with a similar responsibility; but the Committee did not adopt that view, for they practically proposed that the House should look to the Court of Session to aid them in the matter. After deliberation, the Committee came to the conclusion that the chief point they must consider was "the scenes at Holyrood" at election time during the last 15 years, and how to prevent their recurrence. But he must remind their Lordships of the number of protests continually made during the last 15 years by the Lord Clerk Register in regard to the legality of various votes given at these elections, and reported to that House as provided by law, but left by it entirely unnoticed. The Committee had had the advantage of making use of the Reports of previous Committees on the same subject—Reports of 1847, 1851, 1869, 1874, and 1877—and they decided, as the Committee of 1847 had done, that it was no use proceeding in these matters by Resolution of the House, and the consequence was that a Bill had been introduced and passed into law. Though, however, there had been two cases decided under that Act, there was plenty of evidence that the measure was, if not wholly, at any rate partially, inoperative. It was seen that it was necessary to take further steps. The recommendation of the Committee of 1874 was that there should be a nominal Roll, in addition to the Union Roll of Peers—that was to say, a Roll bearing not only each title of honour upon it, but also the Christian name and surname of each individual who was entitled to be upon it. As regarded the body to whom the matter was proposed to be intrusted, there could be no jealousy of the Court of Session on the part of that House. For the first century after the Union the House of Lords always referred all matters connected with the Scotch Peerage to the Court of Session, from which it constantly sought information and advice. He had already reminded the House that for 15 years there had been protests. During the last century these protests would have been remitted to the Court of Session, and he would ask what wiser course could be followed now? In conclusion, the objects of the present Bill were three—first, to secure an acknowledgment of the undoubted right to rightful tenant of "titular honour," or peerage, of every Scottish Peer to be on the Roll of the Peerage for Scotland; secondly, to secure every Peer holding such undoubted, acknowledged, rightful title, from annoyance of protest at the time and place of giving his vote; thirdly, to initiate a course of procedure in case of dispute among more than one claimant to a Peerage—or in regard to right of precedency—easy, quick, economical, in the Court of Session; and there was also a provision in the Bill naming Edinburgh, the Court of Session, as the place where all the State Records should be kept, so as to be immediately at hand. He might add that he could assure their Lordships that all these objects could be secured without in the least infringing upon the present Prerogative of the Crown, and without in the least degree trampling upon or abridging the present authority and Prerogative of their Lordships' House. The Bill, he would further state, was the joint production of Lord Moncreiff, the Chairman of the Select Committee, and Lord Watson. In the absence of those noble and learned Lords he (the Earl of Galloway) proposed, after consulting with the noble Earl the Chairman of Committees, to ask their Lordships to read the Bill a second time to-morrow week, the 18th July; and as he did not anticipate any opposition to the second reading, he would then propose that the Committee stage should be taken on Friday, July 21.

Bill to regulate procedure at the election of Representative Peers in Scotland; and for other purposes—*Presented* (The Earl of GALLOWAY).

LORD BALFOUR said, he had been a Member of the Select Committee in question, and as such had consented to the recommendations which had been made, with the exception of the one which had reference to the bringing in of the Court of Session as a Court to decide Peerage cases, and that he objected to, even subject to the revision of the House of Lords. To that part of the Bill he would offer his uncompromising opposition, and he should reserve his right of proposing the rejection of the Bill on a subsequent stage if it were retained. He wished to point out that there were a large number of Members of the Committee who were not present when the division was taken upon the question of bringing in the Court of Session, the number of Peers present being only 12, a number too small to be considered representative of the Committee; while, of those, 7 were in favour of and 5 wished to negative the proposal. It could not be said, therefore, that the proposal he objected to came before their Lordships' House in any form as a unanimous Report of the Committee. It was only by a narrow majority the recommendation was come to, and, in his opinion, it was one with which their Lordships would do wisely to disagree.

THE LORD CHANCELLOR said, that, undoubtedly, if the Bill were proceeded with, great caution would be required to be exercised in considering the provisions giving the Court of Session jurisdiction in Peerage cases. He did not, however, think it was expedient to discuss the Bill at present. He wished to know whether the evidence taken before the Committee had been printed?

THE EARL OF GALLOWAY said, that it was not in the form of a Blue Book; but it had been printed and published. With reference to the suggestion of the noble and learned Lord (the Lord Chancellor), he thought it would be very unusual to stop a Bill at that stage. The noble Lord (Lord Balfour) had stated that the proposal was carried by a small minority in the Committee; but—[*Cries of* "Order!"]—upon which the noble Earl resumed his seat.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he felt very strongly with the noble Lord (Lord Balfour), that it would not be convenient for that House to take any step whatever in the direction of giving up its jurisdiction in regard to Peerage cases. It was in the power of that House, if it wanted advice, to seek it from the Court of Session or otherwise; but to enact that the Court of Session should take primary jurisdiction in any way in regard to the House of Lords would be extremely injudicious, and a proposal they ought not to countenance for a moment.

Bill read 1^a; and to be *printed.* (No. 190.)

EGYPT — IMPENDING HOSTILITIES — REFUGEES IN MALTA.

QUESTION. OBSERVATIONS.

THE EARL OF LIMERICK asked, Whether any considerable number of distressed refugees from Egypt have arrived and remain at Malta; whether any Government buildings are occupied by such refugees, and, if so, whether those buildings might not be required in the event of troops being sent to the Mediterranean; also whether any steps had been taken to prevent an outbreak of contagious diseases at Malta? The noble Earl said, that the heat at Malta at that time of the year was well known to be very great; and as, at present, the town was very much crowded with refugees in all parts, the consequences of an outbreak of cholera or fever among them would be very serious from the fact that they might extend themselves to the population and the troops.

THE EARL OF KIMBERLEY: The best reply I can give to the noble Earl's Question is to give your Lordships the substance of a telegram which I have received from the Governor of Malta. He reports, on the 8th of July, that the number of refugees who had arrived was 7,800, in addition to whom 445 were hourly expected, making the total number 8,245. A large number of these have either returned to their families or distributed themselves among the hotels in Valetta and its suburbs, having arrived with sufficient means to enable them to live free of Government aid. On the 3rd of July the number maintained at Government expense was 2,006. These destitute refugees are quartered in the Lazaretto, or encamped in tents in its close vicinity, and the Governor had set apart a detached building, capable of holding 300 patients, in case of an outbreak of disease. I am not aware that any buildings have been occupied that would be required for troops. It will be seen, therefore, that the Governor of Malta has taken every step necessary to provide for the refugees, and taken care that their cases are fully attended to.

SUPREME COURT OF JUDICATURE AMENDMENT BILL.—(No. 179.)

(*The Lord Chancellor.*)

THIRD READING.

Bill read 3^a (according to order).

Moved, "That the Bill do pass."—(*The Lord Chancellor.*)

LORD DENMAN said, that, under Section 11 of the Judicature Act, any Judge appointed before the passing of the Act was to have all the privileges and patronage he had before the Act, with regard to Circuit business; but it was now proposed to regulate it without reference to the position and privileges of the senior Judges, whether Chiefs or Puisne Judges. He would, therefore, have proposed, had the Bill been in Committee, as an Amendment, that those of the existing Judges who were appointed before the Judicature Act should not be deprived of their patronage; also, that the Clerks of Assize should have power to appoint their subordinates.

THE LORD CHANCELLOR said, he was sorry that it had been thought by some of the Judges that the Bill interfered with some rights of patronage that they then possessed. Most certainly, he had no intention whatever of depriving the Judges referred to of their patronage; and in order to make that perfectly clear, he would insert an Amendment in the clause dealing with that matter (Clause 6), to the following effect:—

> "Provided, That nothing in this Act shall take away or affect any powers of appointment now vested by law in any Judge appointed before the passing of the Judicature Act, 1873."

With regard to the Clerks of Assize, he could not assent to such an Amendment as proposed being inserted in the Bill.

Amendment *agreed to.*

Motion *agreed to.*

Bill *passed,* and sent to the Commons.

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 10*th July,* 1882.

MINUTES.]—Ways and Means—*considered in Committee — Resolution* [July 7] *reported* — £5,703,891, Consolidated Fund.

Private Bill (*by Order*)—*Lords Amendments*—London River-side Fish Market.

Public Bills—*Resolution in Committee—Ordered —First Reading*—Passenger Vessels Licences (Scotland) * [234].

Ordered—First Reading—Turnpike Acts Continuance * [233]; Consolidated Fund (No. 4)*.

First Reading — Cathedral Statutes * [232]; Merchant Shipping (Colonial Inquiries) * [235]; Pluralities Acts Amendment * [236].

Second Reading—Lunacy Districts (Scotland) * [224]; Beer Dealers' Retail Licences Act (1880) Amendment * [229]; Lunacy Regulation Amendment [230].

Committee—Arrears of Rent (Ireland) (*re-comm.*) [213]—r.p. [*First Night*]; Partnerships (*re-comm.*) [179]—r.p.

PRIVATE BUSINESS.

LONDON RIVER-SIDE FISH MARKET BILL (*by Order*).

LORDS AMENDMENTS CONSIDERED.

Mr. RITCHIE said, he had given Notice of his intention to move to disagree with two new clauses which the Lords had added to the Bill.

Mr. SPEAKER: I understand that the hon. Member intends to move to disagree with Clauses 54a and 54b.

Mr. RITCHIE: Yes.

Mr. SPEAKER: Then the hon. Member's Motion will be taken presently.

Lords Amendments, as far as new Clause 54a, *agreed to.*

New Clause 54a (Providing for compensation to Corporation of London), read a second time.

Mr. RITCHIE said, he now rose to move that the House should disagree with the Lords as to the insertion of two new clauses—Clauses 54a and 54b. It would be necessary for him to enter somewhat into detail as to what the Bill proposed to do, as the fate of the Bill depended on the course the House adopted; because if the House agreed with the House of Lords in the insertion of these two clauses the Bill would be practically at an end, as he had the authority of the promoters for saying that if either of those clauses was inserted they would at once withdraw the Bill, and the project would not be proceeded with further. As the matter was one of great importance, not only to his own constituents but to the whole of the Metropolis, in order to guard against such an unfortunate result as that it was necessary that he should detain the House at more than usual length in order to substantiate his case against these clauses. The House would soon be able to see how important the Bill was to those he represented. It was a Bill for the establishment of a Fish Market on a site in the East End called Shadwell. The site of the proposed new Fish Market was in a very densely populated neighbourhood, to which it was of the greatest importance that fish should be supplied, and supplied in abundance. The effect of the two clauses inserted by the Lords would be to destroy utterly the smallest chance of that Market being established. At present, Billingsgate was the only Market available for the purchase and sale of fish from one end of London to the other, and the Corporation of London was the authority under whose auspices the Billingsgate Market was carried on. That Market had been shown to be utterly inadequate for its purposes for many years past. Constant complaints had been made on the subject, not only by those who sold but by those who bought the fish, and by many others who were interested in securing the freedom of the traffic of that part of the City in which Billingsgate was situated. The approaches to Billingsgate, both by land and water, were of such a character as to seriously interfere with the supply of fish which entered into the Market. The approaches by water were of such a nature as to render it necessary that the fish should be carried over planks on men's backs in order to obtain an entrance into the Market. But bad as the approaches from the water side were, those on the land side were infinitely worse. It had long been a standing complaint that those who desired to obtain a supply of fish for distribution in London found it almost impossible to get anywhere near the Market. After 9 o'clock in the morning he understood that all vans, barrows, and carts were cleared out of the City, and subsequent to that hour the fish had to be carried on the backs of men in order to be loaded on to the vans which were compelled to stand outside the area of the City. The natural result of all this was greatly to limit the supply of fish and to enhance the price. This had been a matter of complaint for 20 years at least, and it had more than once been brought before the authorities of the City and others concerned. In 1862, 1868, and 1874 the Corporation of London considered these complaints; but although a certain expenditure had been incurred, and certain things had been done by the Corporation, nothing to render the Market at all adequate to the requirements of the public had been done by the Corporation. In 1880 the attention of the Home Secretary was directed to the state of affairs at Billingsgate; and he had to thank the right hon. and learned Gentleman for the prompt action he took in the matter by appointing a gentleman, thoroughly qualified, to examine into the matter. Mr. Walpole, one of the Inspectors of Fisheries, was directed to institute an inquiry into the circumstances of the case, and he made a valuable Report, which was now on the Table of the House. That Report, among other recommendations, contained the following:—

> "vii. It is impossible to say exactly at what precise spot between the port of debarkation and Billingsgate the 281 tons of fish which came by land went bad; but there is reason to believe that some portion of it went bad during its transit through the streets of London.
>
> viii. The risk of its going bad is increased by the delays constantly extending for hours, and occasionally extending over days, which are due to the inadequate approaches to, and want of room outside of, Billingsgate.
>
> ix. The delays which thus take place have probably also the effect of enhancing the price of the cheaper kinds of fish in London.
>
> x. The delays cannot be avoided unless (a) adequate approaches to the Market are constructed, and adequate standing room for vans is provided, or (b) the market is itself removed.
>
> xi. It would probably be a serious loss to the public and the trade if the Market were removed from the riverside."

From this it will be seen that Mr. Walpole reported that it was impossible to meet the requirements of the public unless the Market was either removed from Billingsgate, or larger accommodation and adequate approaches provided at the existing Market. Mr. Walpole wound up his recommendations by expressing a strong opinion that in the event of a new Market being provided, it should be at the waterside. The Report of Mr. Spencer Walpole was communicated by the Home Secretary to the Corporation of London, and, on the receipt of it, the Corporation took action by appointing a Fish Supply Committee to inquire into the present unsatisfactory state of the fish supply of the Metropolis, and the increased cost of fish to the consumers. The House would see from the terms of the Reference that the Corporation acknowledged two things—first, that the fish supply to the Metropolis was unsatisfactory; and, secondly, that the unsatisfactory state of the supply had resulted in increased cost of fish to the consumers. The conclusions at which the Corporation Committee arrived were that one wholesale Market was calculated to meet the requirements of the trade; that, in the interests of the public, such Market should be at the riverside, and that the existing approaches to Billingsgate were utterly inadequate. That was the conclusion at which the Corporation Committee arrived after a most laborious investigation. But that was not the only inquiry by a public body into the matter. The Metropolitan Board of Works also inquired into it, and they arrived at the conclusion that Billingsgate was utterly inadequate; that the deficient accommodation limited the supply of fish and increased the cost; that the Charter granted to the Corporation was out of date; that it acted prejudicially to the 4,000,000 inhabitants of the Metropolis; and that it should be altered by legislation so that local Markets might be established. The House would, therefore, see that the net result of three independent inquiries was as follows:—That Billingsgate was utterly inadequate; that the price of fish was thereby increased; and that the Market should be at the waterside. The Corporation, after the receipt of the Report of the Committee, referred it back to the Committee to consider the question of site. The Fish Supply Committee reported that one Market would be the proper thing to have, and that it should be at the waterside. The second Committee to whom the matter was referred—being practically the same Committee as the first—arrived at the conclusion that there should be two Markets; that the new Market should be inland, and that Farringdon Market, provided for fruit and vegetables, should be utilized for fish. The House would see that the Committee arrived at a conclusion diametrically opposite, and in direct contradiction to Mr. Walpole's Report, and to the Report of the previous Committee of the Corporation. The propriety of utilizing Farringdon Market was brought before Mr. Walpole in the course of his examination before the House, and he said—

> "I do not think that that proposal of Farringdon Market, or whatever you choose to call it, would meet the requirements of the case."

But he (Mr. Ritchie) did not think that the Corporation were ever serious in proposing Farringdon Market. They themselves expressed their belief that it would never succeed, and all the evidence showed that it would be an utter failure. Their opinion of the matter was shown conclusively by a Motion submitted to the Court of Common Council a few days ago for taking power to re-convert that Farringdon Market into a Fruit Market again. That Market was an inland Market, and, looking to the fact that their own Committee came to the unanimous conclusion that no inland Market would be satisfactory, but that a riverside Market afforded the only means of meeting the difficulty, this proposal must be regarded as a mere sop to public opinion in order to induce the people of London to believe that the Corporation were at least disposed to do something. He would like the House to remember that there had been no proposal by the Corporation to enlarge and increase Billingsgate Market, as recommended by Mr. Walpole. On the contrary, a motion to that effect was defeated in the Common Council by a considerable majority. It having been seen that the Corporation of London would neither enlarge Billingsgate nor propose some other riverside Market to meet the requirements of the case, it became a serious question what further steps should be taken in the matter. It was evident that the unsatisfactory condition of things then existing ought not to be allowed to continue, and it was also evident that the Corporation of London intended to do nothing adequate in the matter. It was only then that private enterprize stepped in in order to supply a public want. The present Bill was the result. In order that the House might see how important it was to provide this new Market, he would read half-a-dozen answers given in the course of the inquiry before the Committee of the House by a fishmonger well known in the West of London. The gentleman to whom he referred was Mr. Charles, who said—

> "Q. 1293. You would have double the supply of fish in three months without any question, if there were proper water accommodation to unload the fish coming by water.
>
> "1294. There is no question that the present state of the Market accommodation at Billingsgate has the effect of preventing and stopping off the further supply if there was better Market accommodation.
>
> "1298. The Irish Fisheries are about to be developed, and there is an inexhaustible supply of fish there, and when they start I do not know where they are going to take the fish.
>
> "1292. There would be such an immense quantity of fish come from Ireland when the fisheries are developed that one cannot explain the extent they will be developed to.
>
> "1300. The difficulties and dangers of getting to Billingsgate choke off even the present supply of fish. The expenses are enormous.
>
> "1302. The whole of the work of the fish trade would be relieved from the load that has crushed them for the last 20 years, which has crushed and ruined many honest and hard working men. They cannot stand the expense of doing business at that Market."

In regard to the difficulties of getting fish away Mr. Charles said—

> "1363. I have to get it away as if I stole it."

And the result of this state of things is shown in the answer to Question 1,410—

> "Owing to the expense of getting it to Market, an immense quantity of fish that is caught and killed does not come. It is used for manuring the land."

That was the result, from the testimony he had cited, of the present condition of things at Billingsgate Market. An argument had been used in the papers distributed to hon. Members of the House on behalf of the City that this Bill was a mere speculative enterprize brought forward by Messrs. Hewitt and Co., in order to make profit out of it. That assertion was contradictory of the whole case of the Corporation. What they said was that the Market was not wanted, and that it would undoubtedly prove a monstrous failure. Having taken that ground before the Committee they then said the proposed Market was undertaken by Messrs. Hewitt and Co., because of the profit they hoped to make out of it. The fact that Messrs. Hewitt and Co. were promoting the Bill was a powerful argument in favour of it. They were about the oldest firm who sent fish to Billingsgate Market, and they declared that they were unable to find accommodation for the fish they could supply. They added, that their business was much hampered, and the interests of the public much damaged, by the existing state of things; and, therefore, they had been compelled to come forward and take steps by which the public would ultimately be greatly benefited. He certainly thought the fact that the Bill was promoted by Messrs. Hewitt and Co. was one of the strongest arguments which could be used in favour of this Fish Market. But it so happened that the proposal for the new Market did not originate with Messrs. Hewitt and Co. It originated with a public body at the East End of London—the Limehouse Board of Works. The site was proposed by the Limehouse Board of Works to the Corporation of London in 1868, and again in 1881, and it was only after the refusal of the Corporation to do anything at all that Messrs. Hewitt and Co. came forward and introduced the present Bill. That disposed of the "speculator" argument. The interests of the public were protected by the provisions of the Bill, which secured that the tolls should be only one-half of those levied at Billingsgate, and that out of the eight acres proposed to be taken four acres should remain a Fish Market for ever. The measure was supported by the Metropolitan Board of Works, and by Vestries and District Boards representing 1,500,000 of the population of London. It was also supported, and evidence had been given in its favour, by Mr. Walpole, the Inspector of Fisheries, who said—

> "I think the proposed Market would fulfil all the conditions I had in view. I have no doubt the price of fish would be cheapened."

Under these circumstances, he should like to know what would become of the "speculator" argument which had been raised? The Bill was opposed by only one body in the Metropolis—the Corporation of London, and they had fought it both in the House of Commons and in the House of Lords for many days. The ground upon which they fought it was, that they were in the possession of a Charter of Edward III. by which they were appointed the Market authority over the whole of the Metropolis. But, notwithstanding their opposition, the Committee of the House of Commons passed the Bill, and it went to the House of Lords. The Corporation had then to consider whether they should take any further steps in the matter. Surely they ought to have been content with vindicating their ancient Charter in the House of Commons. They met to consider what course they should adopt in the House of Lords. They had not, however, an open meeting to discuss the question, but they considered it necessary to meet with closed doors. He desired to call the attention of the House to that fact, because in a moment or two he should have to comment upon it. [*Cries of* "Agreed!"] Hon. Members who called out "Agreed" did not understand the enormous importance of the question to the people of London, and he felt bound to put the case fully before the House of Commons. This meeting, which was called for the purpose of considering whether the Bill should be opposed in the House of Lords, came to a decision to oppose it by a majority of one. And he might say here that it was the custom for Members of the

Upper House of the Corporation—the Aldermen—to sit and vote at such meetings with the Lower House, representing the Common Council. On that occasion two or three Aldermen sat with the Common Councilmen, and they all voted for opposition to the Bill in the House of Lords, so that the proposal in favour of opposition was carried by the votes of those Members who belonged to the Upper House. If the Common Councilmen had been left to themselves their vote would have been not to proceed with the opposition in the House of Lords. The Bill was accordingly opposed in the House of Lords; but the Committee arrived at the conclusion that the Market was necessary, and declared the Preamble of the Bill proved. At the instance of the Counsel for the Corporation, however, the Committee was induced to insert two clauses in the Bill, which, if adhered to, would prove absolutely fatal to the measure. It would be necessary for him to read these two clauses to the House, as they had not been read at the Table. The first was clause—

> "54a. The Company shall make full compensation to the Mayor and commonalty and citizens of the City of London for all loss and injury they may sustain by the diminution by reason of the establishment and continuance of the Market by this Act authorised of the tolls and dues on fish conveyed by water to their Market called Billingsgate Market, and for the purposes of such compensation the tolls and dues actually taken and received by the said Mayor and commonalty and citizens for and in respect of such fish at the last-mentioned Market during the year ending the 31st day of December, 1881, shall be deemed to be the amount of the tolls and dues in respect of the diminution of which such compensation is to be paid, and the amount of such compensation, unless agreed between the Company and the said Mayor and commonalty and citizens, shall be determined by arbitration in manner provided by 'The Lands Clauses Consolidation Act, 1845,' with respect to the purchase and taking of lands otherwise than by agreement."

The next clause was as follows:—

> "54b. If the Mayor and commonalty and citizens of the City of London shall within six months after the passing of this Act elect to exercise the powers of this Act and of such election shall give notice to the Company under the hand of the Town Clerk all the powers of this Act shall be, and they are hereby transferred to and vested in the said Mayor and commonalty and citizens, and this Act shall be read as though the said Mayor and commonalty and citizens had been therein named instead of the Company: Provided that such transfer and vesting shall not take effect until the said Mayor and commonalty and citizens shall have paid to the Company all the costs, charges, and expenses incurred by them in obtaining this Act to be taxed by the proper officer in case the parties differ about the same."

Those were the two extraordinary clauses which had been inserted at the instigation of the Corporation of London. With reference to the Purchase Clause, he was authorized to say, on behalf of the promoters, that they were quite prepared to agree to the insertion of a proper Purchase Clause in the Bill, if the House should see fit to accept it. But the present clause was not a clause for the purchase of the Market, but a clause for the purchase of the Bill. Let him direct attention to its terms. The Bill was to be taken over on the payment of taxed costs. A more gross injustice could not be conceived. Everybody knew that there was a vast difference between taxed costs and actual costs, and the proposal was virtually that gentlemen who came forward to meet a public want were to be heavily fined because they had proposed to do that which the Corporation ought to have done but had not. For doing that, these gentlemen, who were really public benefactors, were to be fined the enormous difference which existed between taxed costs and actual costs. Nothing could be more monstrous. It might be said that, however unfair to the promoters, this was not a matter that affected the public; but the clause contained other conditions which could not be assented to from a public standpoint. If the clause was assented to, there was no compulsion placed upon the Corporation of London to make the Market. They were merely to purchase the Bill by paying taxed costs, and they might then put the Bill in their pocket. Having steadily opposed the Bill in every step of its progress, and having said throughout that the proposed Market would be of no use; that it was not wanted, and that it was totally unnecessary; if they were to be the body intrusted with the carrying out of the Act, what chance would there be of the Market being made or used? He confessed there was no doubt in his own mind that if this Purchase Clause were put in force the people of London would find themselves as badly off for a riverside Fish Market as they were now. He now asked the House to consider for a moment what the Compensation Clause was. The clause provided that, taking the revenue of Billingsgate Market for 1881, for every 1*s.* the revenue might hereafter fall off after the New Market was opened, the promoters of the Bill should compensate the City of London. He would like to know, in the first place, what the compensation was to be paid for? It had been clearly proved that the Corporation had not performed their duty as the Market authority for the Metropolis, because the state of the Fish Market at Billingsgate had long been a crying evil in the Metropolis, and nothing adequate had been done. He certainly could not see what the Corporation had to be compensated for. The House, however, would see the remarkable position which would follow from the acceptance of the clause. The revenue of Billingsgate might fall off year by year until it amounted to nothing at all. The Corporation of London would then be at liberty to dispose of the site, and would still be able to obtain the revenue they had lost from the promoters of the present Bill. He would ask the House to consider who it was who was likely to pay that compensation. In the end, it would not be the promoters of the Bill, but those who bought the fish. The poor of the East End of London would have to pay compensation or tribute to the rich Corporation of London for the privilege of supplying themselves with cheap food. One thing was certain—that if this compensation was to be paid, the result would be that the maximum tolls would be enforced which the Bill authorized the promoters to levy, and the poor of London would have to pay them. This was on the supposition that the Market would be made even were this Compensation Clause to remain; but he contended that this clause would render it impossible to proceed with the Market. It was perfectly certain that no man would subscribe 1*d.* to an undertaking burdened with such a clause, and the consequence would be that if either of those two clauses were allowed to remain in the Bill the Market would not be made, and the poor of London would be deprived of the cheap food which it was the object of the measure to provide them with. But what matter? The Corporation would have vindicated their ancient Charter. Let them look at the circumstances of the times in which it was granted. It was a Charter of Edward III., granted 500 years ago. At that time the population of England did not amount to one-half of the population of London now. At that time the Corporation was the only public body which represented London; but the case was altogether different now, the circumstances had entirely changed. Could it be contended that the Corporation should continue to have the exclusive control over the supply of food for 4,000,000 people; that no market should be established outside the City without the consent of, and the payment of compensation to, the Corporation? Was such a claim to be tolerated? No House of Commons would sanction the claim that no Market should be established in any part of London except by the Corporation of the City, whose jurisdiction extended over something like a square mile. It would be intolerable, even if the Corporation had done their duty; and it was notorious that they had not. This very question had been a crying evil for years, and the Corporation did little or nothing until the Home Secretary moved in the matter. He hoped he had shown to the House that the effect of either of these clauses would be to entirely defeat the object of the Bill, and that they were unjust and contrary to public policy. He should like now to say a word as to the tactics of the Representatives of the Corporation in the House of Lords. He said "Representatives," because the Common Council had never sanctioned the application for clauses at all, and that was a matter of very great importance in the consideration of the question. When it was proposed in the Court of Common Council to ask for the insertion of Compensation Clauses the proposal was rejected by a majority of 7. The Court, with the votes of the Aldermen, decided only by a majority of 1 to oppose the Bill at all in the House of Lords; and a majority of 7 not to ask for compensation. But this vital point was held back from the Committee, for when it was proposed to bring it out, the Counsel for the Corporation got up and pleaded privilege, owing to the fact that the meeting of the Common Council at which that conclusion was arrived at was held with closed doors. In that way the fact that the Court of Common Council had decided by a majority of 7 not to ask for compensation was not placed before the Lords. The circumstance was deliberately withheld from the Committee, and he was curious to know who was responsible for that action? He was also curious to know who instructed the Counsel to ask for these clauses? It certainly was not the Court of Common Council. They had decided against asking for them. Was it the Billingsgate ring? Was it the people who were concerned in carrying on the business of the Market at Billingsgate who obtained the insertion of these clauses? Perhaps someone would tell the House. In asking the House to reject these clauses, he only asked them to give effect to the resolution come to by the Court of Common Council. On the one side, they had the opinion of the minority of the Court of Common Council. On the other side, there was the opinion of the majority of the Common Council, of the Metropolitan Board of Works, and of the Vestries and District Boards of London, representing 1,500,000 of the inhabitants, all of whom desired the excision of these clauses. Could there, then, be a doubt as to what the decision of the House ought to be? He had laid the case as clearly and as fairly as he could before the House, and he thought he had shown that the Market at Billingsgate was utterly inadequate to supply the wants of the Metropolis; that it raised the price of fish, and that it diminished the supply. He had shown that the Corporation had done nothing adequate to meet the necessities of the case, and that it never would do anything. While they had given a great many reasons against the Shadwell Scheme, they had not said one word from beginning to end to show what the Corporation proposed to do. Nothing had been said about the intention of the Corporation to enlarge the approaches to Billingsgate, or to improve the supply of fish. The present Bill provided adequate accommodation. The House of Commons had approved of it, and a Committee of the House of Lords said that it was necessary. The public opinion was unanimous in the desire that the House should pass the Bill, and should cut out those clauses which, if left in, must lead to the withdrawal of the measure. The attempt which had been made to defeat the Bill was an unworthy attempt, an attempt made by a side-wind which he was sure the House of Commons would never endorse. The question for the House to decide was—would they prevent cheap fish from reaching the toiling millions of the Metropolis? Would Parliament stop the inhabitants of London from having the supply of fish which could be, and would be, brought to them, but which, as the Bill then stood, would continue to be denied to them? With these clauses no Market could be made, and fish would continue as dear and as scarce as at present. Without these clauses a splendid Market would be erected, and fish would be supplied to the poor plentifully and cheaply. That was the issue before the House; and he was perfectly certain that the decision they would arrive at would be the decision he was then asking them to come to—namely, to cut out these two clauses, and to make the Bill a measure that would confer inestimable benefits upon the whole population of the Metropolis.

Motion made, and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—(*Mr. Ritchie.*)

Mr. MARRIOTT said, the hon. Member for the Tower Hamlets (Mr. Ritchie) belonged to the Party who had recently formed an association with a most laudable object—namely, the object of defending liberty and property. But this Bill, if passed without these Amendments, would be a most direct attack upon both the property of a Corporation and of individuals. ["Oh, oh!"] An hon. Member said "Oh, oh!" but up to the present time Market rights had been as much property as land, or as any other description of property. Market rights had been granted by Charter, or given by Act of Parliament, and he was not aware of a single instance where these rights had been taken away without compensation having been given. It was not many years since the town of Manchester purchased the Market rights of Sir Edward Moseley for something like £200,000, and, having purchased the rights for that sum, they spent many hundred thousand pounds in building Markets. Suppose that House were to pass an Act by which a Market could be built close to an existing Market, every single individual who had advanced money for the purchase of those rights would lose the security on which the money had been advanced. That was exactly the case with the Corporation of London. The question was not now a question of cheap fish. He thought, if it had been a question of cheap food, the hon. Member for the Tower Hamlets would have been the last person to propose this Amendment. They would rather have believed in the hon. Member's sincerity if he had proposed protection or bounties on fish. Coming as this Amendment did from an hon. Member who was so fond of bounties and protection, he thought the House would look with suspicion upon his plea of cheap fish. The question did not affect the Corporation of London alone, but every Corporation in England. With regard to the Corporation of London, it was an undoubted fact that the Charter, with respect to Markets, did go back to the time of Edward III.; but he did not know that that was an objection against the Charter. If the Charter was not granted for proper purposes—if the rights of the Corporation had been abused, if the Charter was a wrong one, and if it could be amended, let the matter be brought before the House and discussed openly. It was not proper that the Market rights of the Corporation of London should be abolished by a side-wind; and they certainly would be destroyed if these clauses of the Lords were rejected. With regard to the Markets of London, no less than £2,750,000 had been advanced to erect them. All those who had advanced money had done so on the idea that the Charter was good. ["No!"] An hon. Member said "No;" he would have an opportunity of proving that presently. He made the assertion that the money had been advanced upon the security of the Market rights of the City of London, and if this Bill were passed without giving to the City the right of pre-emption and the right to compensation, that security was lessened. He found that in dealing with Gas, or Water, or Railway Companies, the House was always very jealous of doing anything which would limit the security upon which money had been advanced. But the case for the City of London was far stronger. Gas, and Water, and Railway Companies were Companies trading for the purpose of making money; but, by the Market rights of the City of London, not one farthing was made for the coffers of the City. The whole of the money obtained by those rights went to pay the interest on the money advanced. Up to the present time these rights of the City of London had never been interfered with except in one case—the case of Covent Garden. This Charter was granted in the time of Edward III., and the only Market rights ever given in opposition to the City of London were those given to the Duke of Bedford by Charles II. At that time Charles II. was by no means very favourable to the Corporation, and, by an action in the Court of King's Bench, an attempt was made to upset the Corporation rights. The City, however, retaining all their own rights, determined not to interfere with the Duke of Bedford in respect to Covent Garden. To the construction of the Columbia, Hungerford, and South London Markets the City could have objected; but they did not—in fact, the City had never objected to retail Markets. The Cattle Market Act was passed in 1835, and in that Act a Compensation Clause, exactly similar to the one proposed in this Bill, was inserted. That clause now stood in that Act, and if a similar one were put in this Bill, the Corporation would have no objection to the Bill passing. But to come to the main question—the fish supply of London. Anything that could be done to make fish cheaper, by all means let it be done. The Corporation had had the question before it, they had examined the matter carefully, and they had come to the conclusion that there was great difference of opinion amongst fish salesmen as to whether there should be one or more wholesale Fish Market—opinion was generally in favour of one Market. The Corporation had found that with regard to Billingsgate the great difficulty was that it was easy to get the fish there, but it was difficult to get it away, so blocked up were the approaches by land. But it was found that three-fourths of the vans and carts going to the Market were those coming from the railway terminus with the fish brought to London by rail. The City of London, therefore, proposed to utilize the Market which was now at Farringdon, for all land or railway-borne fish. By doing this they would at once relieve the approaches to Billingsgate of three-fourths of the traffic which now went there, and there would then exist in London two distinct Markets, one for water-borne fish, and another for land-borne fish. Before the House interfered with the rights of a Corporation like that of the City of London—and by interfering with their rights interfering with the rights of all the Corporations in England—this experiment might be allowed a trial. It was an experiment which the Corporation hoped would answer, and if it did not answer they would not object to the clause proposed in the other House—namely, that they should have the right of purchasing the rights of the Shadwell Company, which was a private Company. The hon. Member for the Tower Hamlets said, "Oh, they may purchase the rights, but they will never exercise them." He could only say that if the City of London were to act in that way they would commit suicide. The Corporation of London knew that the eyes of England were upon them; they knew there were many sincere friends, like the hon. Member for Chelsea (Mr. Firth), who were watching every one of their acts; and if they were to come to that House, and offer to make a purchase of the Bill, and did not make the Market, he was bound to say that when Parliament met again, be it in the autumn or next year, a Bill would very soon be brought in to compel them to build the Market at Shadwell. This was an attempt, by a side-wind, to attack the rights of Corporations, and by it an example would be set to attack the rights of individuals. He quite admitted that they could be overturned by an Act of Parliament, and this would be an Act of Parliament when passed; but it would be a Private and not a Public Act. He insisted upon this, that if the exercise of the authority of the City of London was called into question, it should be done so openly in that House, and when there could be a proper debate on the subject. The House was very desirous to reach the Public Business, and, therefore, he would not trespass further upon its time. He trusted, however, that the Members of that House would join together in rejecting the Motion of the hon. Gentleman the Member for the Tower Hamlets. He had as great a desire as the hon. Member had for the cheapening of fish for the poor; but at the same time he desired, as the hon. Member should desire, that they should respect the rights of property.

SIR WILLIAM HARCOURT said, as time was very precious, and as this was a very simple question, he hoped the House would be able to decide it without further delay. The hon. and learned Gentleman (Mr. Marriott) had expressed great surprise that this Motion had been made by the hon. Member for the Tower Hamlets. He was not at all surprised at it, because the hon. Gentleman (Mr. Ritchie) represented a population 10 or 20 or 50 times as numerous as that represented by the Corporation of London. The hon. and learned Member (Mr. Marriott) had expressed surprise that this Motion should have been made from the opposite side of the House. He thought it more surprising that the opposition to the Motion should have proceeded from this side of the House. The case was a very plain one. No one denied that Billingsgate was a thoroughly bad Market, totally incapable of supplying the population of the Metropolis with fish. A private Company had come forward with a plan — which both Houses of Parliament said was a good one—for supplying 5,000,000 of people with fish. That being so, it being admitted that there was now a bad Market, and that this Company was willing to construct a good one—and all this was admitted in the Preamble of the Bill—what was done? Why, it was proposed that this new Market, one of whose merits was that it was to charge cheap tolls, was to be saddled with compensation to the proprietors of the bad Market. A proposition more extraordinary, more exorbitant, more indefensible, it was impossible to conceive. He would not admit that on this side of the House they were less careful of the rights of property than Gentlemen on the other side. He should be very much surprised to find the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) disagreeing with him in the view he took on this subject. The hon. and learned Gentleman (Mr. Marriott) said this was an attempt by a side-wind to attack the rights of property. It was not a side-wind at all, it was the most plain and direct issue which it was possible to raise. The question was whether the House would maintain a monopoly which was proved to be enormously injurious to a population of 5,000,000 people, or whether it would not. He was extremely glad that this matter had been brought to an issue, and he had very little doubt what judgment would be pronounced by the House of Commons on the question.

SIR JAMES M'GAREL-HOGG said, he did not wish to take up the time of the House; but he felt bound to say he had been requested by his Colleagues on the Metropolitan Board of Works, a Board representing 4,000,000 people, to say the whole of them were extremely anxious that this House should reject these clauses. He held in his hand a list of 17 Petitions against these clauses, Petitions which, he thought, came in on Saturday. Personally, he trusted that the House would reject these clauses and pass the Bill in a shape which would be most beneficial to the people of the Metropolis.

MR. ALDERMAN COTTON said, he hoped the House would not reject these clauses. The Chairman of the Metropolitan Board of Works obtained, in the small hours of the morning, a clause authorizing him to make a Fish Market, and if the Metropolitan Board of Works was to be more trusted than the Corporation of London, the House would no doubt reject these clauses. If they would only remember how much work the Corporation of the City of London had done, not only in the matter of Markets, but in the matter of all good and wise work, they would hesitate before they rejected these clauses. They were going to give a private firm the monopoly which they refused to the Corporation. Surely the Corporation could manage the business better than a private firm. [" Question!"] The question was, whether they would have a good Market, efficiently and well managed—whether they would have it managed by the Corporation of London, which hitherto had always done its work well, or whether they would have it managed by Hewitt and Company. ["Oh!"] They might say "Oh;" but when they came to think the matter over quietly they would not contend for a moment that a private firm could manage a Market properly in the interest of the public. Mr. Hewitt was a large smack-owner; he imported his own fish; therefore they could not imagine he could manage the Market as well as the Corporation could. He had nothing more to say; but he hoped, and with great confidence, that the House would allow these clauses to stand.

MR. W. H. GLADSTONE said, he thought it right that, as he was the Chairman of the Committee to whom this Bill was referred, he should say a word or two. He hoped the House would agree to the Motion which had been moved by the hon. Member for the Tower Hamlets (Mr. Ritchie). To his mind, compensation in this case was neither required on the ground of policy nor on the ground of justice. It was quite certain that if this Compensation Clause remained in the Bill, the Bill could not proceed further; and that he should consider as nothing less than a public misfortune. The case brought before the Committee was one of the strongest that could well be. The scheme was proved a thoroughly good one, and he thought the opponents failed to shake it in any material point. He did not think it was too much to say that the Bill was, in fact, a necessity, not merely for the extension of the traffic in fish, and for the cheapening of the food—for which there was ample room in the Metropolis—but even for the proper and convenient transaction of the existing business. The evils of Billingsgate were notorious, probably every Member knew something more or less about them. If any hon. Member only paid a visit to Billingsgate in the early hours of the morning, he would find that the real state of things exceeded whatever he had previously imagined. The City alleged that they had expended £272,000 upon the Market at Billingsgate. That might be true, but it in no way removed the great scandal that existed. Mr. Spencer Walpole, in his Report, said the present Market did not provide proper standing room, and its approaches were deficient. These requisites of a good Market would be fulfilled completely by the new Market at Shadwell; it would be four times the size of Billingsgate, and it would result in great good to everybody. The vote of the Common Council had been referred to, and he only mentioned it again because he thought its significance could not be overrated, remembering how strongly the different interests were represented in that body. With regard to the justice of the case, he noticed that in paragraph 10 of the Papers circulated the Common Council said that the Corporation ought to be compensated for the loss of revenue from which they paid the interest on the money advanced. It seemed to him that if such a position were allowed every Railway Company, against whom a competing line was authorized, might come to this House and obtain compensation for the loss it had sustained. The excuse for compensation in this case might be the infringement of the ancient Charter that the City possessed; but that Charter had been already infringed on various occasions, when, for instance, the Columbia, the Hungerford, and the South London Markets were authorized. The case of the Islington Market had been referred to by the hon. and learned Member for Brighton (Mr. Marriott). The Act authorizing the establishment of that Market was passed in the year 1835. He was not acquainted with the pros and cons of the case; but he certainly should be very much surprised if, in that case, there were the same imperative grounds of public advantage as in the present case. During the last 20 years the City had expended a large sum of money, but they had really done nothing to mitigate the evils of Billingsgate Market, the state of which was a simple disgrace to the Metropolis. It appeared to him that the City were either unable or unwilling to do their duty in the matter of the fish supply of the Metropolis. And he did not hesitate to say that where there were immense difficulties in the way he thought the trust which the City held by virtue of the Charter of Edward III. must be regarded as having been defeated by the course of circumstances, and that it was time the Charter ought to be disregarded. It was supposed that by the establishment of a Fish Market at Farringdon the press at Billingsgate would be relieved. His own impression was that a Market at Farringdon would do nothing whatever towards the solution of this question. The evidence given before the Committee went to show that there must be one Market, and that a riverside Market. He could not believe that any legitimate loss would result to the Corporation. No doubt there would be diminution in tolls from fish, because the new Market would undoubtedly be a formidable competitor to Billingsgate. But it was absurd to suppose that there were not many other uses to which Billingsgate could be put, uses which would yield quite as much profit as was now derived from the Market. In conclusion, he must state his own conviction that this Bill was *bonâ fide* promoted in the public interest, and not to put money into the pockets of the proprietors. He thought the proprietors were entitled to carry out the work they had undertaken. The tolls of the new Market would be only half those of Billingsgate; and he trusted that the House would not hamper this Bill, which was of such immense importance, by attaching to it such conditions for compensation, for which there were no grounds either in policy or justice.

Mr. RAIKES said, he wished to add one or two words to what had been said by the hon. Gentleman the Member for East Worcestershire (Mr. W. H. Gladstone). It appeared to him that the House should draw a broad and clear line between compensation which was due to private interests in cases of this sort and claims for compensation made on behalf of a public body. In legislation of this description the object was to promote the public good, and it would be hard if any private individual were to suffer. When they came to the case of a Corporation, or any other public body, it was important to remember that such institutions existed for the public good; and if they failed in the performance of their duties they could not, and ought not, on that account to be able to establish any claim to be repaid out of the pockets of those private adventurers who performed the duty that they had failed to discharge. It would be a very ill day for this country if the doctrine of compensation to private individuals should be pushed to such an extreme as was embodied in this clause. He trusted the House of Commons would take this opportunity of proclaiming in most unmistakable terms that they would not grant compensation to a public body for an act which, if it might diminish the revenue of the public body, was rendered necessary by the public interest, and by a want of recognition by the Corporation of the duties which fell upon it.

Mr. BRYCE said, he had only one word to say. As a Representative of East London, which was most concerned in this matter, he was anxious, on behalf of his constituents, that it should be understood that they did not regard this as a private matter in which the firm promoting the Bill was only interested. The matter had been taken up by nearly all the local authorities in East London —by the different Vestries and Local Boards and other bodies—large meetings had been held, and the question was felt to be one in which the interests of the whole population of London, and particularly the poorer population, was engaged as against the interests of an oppressive monopoly.

MR. MACARTNEY said, as a Member of the Select Committee who inquired into this Bill, he wished to make one or two observations. In the first place, he did not agree with the hon. Gentleman opposite (Mr. W. H. Gladstone) that it would be an excellent thing to put in the hands of a firm the monopoly of the fish supply of London. Messrs. Hewitt and Co., who were promoting this Bill, caught their own fish, landed it themselves, and sold it in the Market by their own auctioneers. If this Market at Shadwell were made the only Fish Market in London, Messrs. Hewitt and Co. would have complete control over the fish supply of the Metropolis. Before the Committee it was proved that the average price of fish sold in Billingsgate Market throughout the year was 2½*d.* per lb., and that the price to the consumer was 7*d.* and 8*d.* per lb. He very much feared that the public would be in the same position if the Market were at Shadwell as if it remained at Billingsgate. He believed that an inland Market at Farringdon would be one very useful to the public, and ought to be encouraged.

Question put, and *agreed to.*

The next Amendment, New Clause 54b (Providing for transfer of undertaking to Corporation of London), *disagreed to.*

Committee *appointed,* "to draw up Reasons to be assigned to The Lords for disagreeing to two of the Amendments made by The Lords to the London River-side Fish Market Bill:"—Mr. RITCHIE, Sir JAMES M'GAREL-HOGG, Secretary Sir WILLIAM HARCOURT, Mr. WILLIAM HENRY GLADSTONE, Mr. RAIKES, Mr. BRYCE, and Mr. FIRTH:—To withdraw immediately; Three to be the quorum.

QUESTIONS.

—:o:—

PORTUGAL—CLAIMS OF A RAILWAY COMPANY.

MR. R. N. FOWLER asked the Under Secretary of State for Foreign Affairs, Whether the Portuguese Government, in 1879, withdrew a Concession for the construction of a Railway to Guimarens from an English Company, and transferred the Concession to a Portuguese Company, promising that it should be made a condition of the transfer that the Railway already constructed, and for which the sum of nearly £25,000 remained due to the Contractor, should be purchased at a valuation, and paid for within six months, and that the just debts of the old Company should also be liquidated; and, whether that promise has been repudiated by the Portuguese Government, notwithstanding the urgent remonstrances of the English Minister to the Court of Lisbon?

SIR CHARLES W. DILKE: Her Majesty's Government have addressed urgent representations on the subject of Mr. Dixon's case to the Portuguese Government, through Her Majesty's Minister at Lisbon. Papers on the subject shall be laid before Parliament.

FISHERIES (SCOTLAND)—ILLEGAL SEIZURE—H.M.S. "JACKAL."

MR. FRASER-MACKINTOSH asked the Secretary to the Admiralty, Whether his attention has been called to the proceedings of the officials of H.M.S. "Jackal," on 20th June, off Stornoway, in seizing, without cause, the herring fishing boat "Perseverance," of Stornoway, whereby a week's fishing was lost, the boat was left on the beach and much damaged, and the skipper kept prisoner for several days, but acquitted on trial, without hearing his counsel; and, whether he will institute an inquiry into the circumstances, with the view of compensating those wronged, and punishing the wrong doers?

MR. CAMPBELL - BANNERMAN: The Admiralty have received from the officer commanding Her Majesty's ship *Jackal* a report of the occurrences referred to by my hon. Friend. That officer appears, in the exercise of his powers under the Sea Fisheries Act, to have detained the fishing boat *Perseverance* in consequence of having found her equipment deficient in certain respects. The boat, notwithstanding his order, put to sea, and on her return a prosecution was, with the sanction of the Fishery Board, instituted against the master. At the trial of the case a good deal of contradictory evidence was given, and in the end the master was acquitted. The Admiralty, however, have no reason to attribute to the commander of the *Jackal* any want of discretion or of intelligence in the discharge of his duty. The boat was only detained three days, and not a week; she was not left on the beach, but was required to be beached by her crew, which is a usual custom. The petty officer who inspected her previous to her discharge saw no damage, and it is understood that she proceeded to sea immediately after the trial; and the master was not kept prisoner for several days, but was detained for one night only, on the advice of the Procurator Fiscal.

EGYPT — ARMAMENTS AT ALEXANDRIA—IMPENDING HOSTILITIES.

MR. ONSLOW asked the Under Secretary of State for Foreign Affairs, If he could state approximately how many British subjects there are at the present time in Egypt, specifying particularly the numbers at Alexandria and Cairo?

SIR STAFFORD NORTHCOTE: Before the hon. Baronet answers that Question, perhaps he will allow me to put a Question to him of which I have given him private Notice, and which, it seems to me, arises out of this Question. We wish to know, not only how many British subjects there are in Egypt, but in what position they are at the present moment? I would also ask the hon. Gentleman whether he can give any explanation or information to the House with regard to the very serious reports which have appeared in the newspapers within the last two days?

SIR CHARLES W. DILKE: Perhaps it would be for the convenience of the House that I should answer the second Question first. The erection of earthworks at the port of Alexandria ceased on the 6th of June, as previously stated in both Houses. No information was received of any further hostile armaments until the 1st of July. On that day the Admiral telegraphed a report that it was proposed to sink stone barges and bar the channel. Information was also received that Arabi Pasha had forced the Khedive to apply to the Sultan for the withdrawal of a prohibition to strengthen the fortifications of the port. On the 3rd of July the Admiral was instructed to prevent any attempt to bar the channel, and to acquaint the Military Governor that such an attempt would be considered as a hostile act, which would be treated accordingly; if work were resumed on the earthworks, or fresh guns mounted, to inform the Military Commandant that he had orders to prevent it; and, if not immediately discontinued, to destroy the earthworks and silence the batteries if they opened fire, having given sufficient notice to the population, shipping, and foreign men-of-war. On the 4th the Admiral telegraphed that he had received a reply from the Military Governor and Arabi, who sent the Egyptian Admiral to give assurance that no channel obstructions were contemplated. On the same day he telegraphed that on the previous night two additional guns were placed in Pharos Castle, and that the parapet of the battery facing the sea-front was strengthened. He postponed the representations to the Commandant until the morning of the 6th, in consultation with the Consul General, in order to give time for British subjects to leave Cairo. On that day he wrote to the Commandant as follows:—

> "Sir,—I have the honour to inform your Excellency that it has been officially reported to me that yesterday two or more additional guns were mounted on the sea defences, and that other warlike preparations are being made on the northern face of Alexandria against the Squadron under my command. Under these circumstances, I have to notify to your Excellency that unless such proceedings be discontinued, or if, having been discontinued, they should be renewed, it will become my duty to open fire on the works in course of construction."

To this letter a reply was received denying that works were going on. On the 7th, the Consuls General of the five Powers addressed the Admiral to ask—

> "Whether you are satisfied with the reply of the Egyptian Government in reference to the fortification works. In case the reply should not be satisfactory we think we are in a position to obtain you assurances more complete."

To which he replied—

> "If your influence with the Military Commandant induces him to act with sincerity, forbidding the continuance of fortifications, the object you aim at will have been obtained. Mere written assurances, in whatever terms they may be expressed, are of little value in view of the interests confided to me. I must strictly adhere to the terms of my communication sent to the Military Commandant should the slightest attempt be made to renew offensive works. In any case, 24 clear hours' notice shall be given."

On the 8th the approval of Her Majesty's

Government of his communications to the Military Commandant and the Consuls General was conveyed to the Admiral. On the same day he reported that guns were being mounted at Fort Adjemi, five miles from the port, and he was told that that fort did not come under the prohibition. On the 9th, having been asked, by telegraph, whether he was certain of that fact of the armament which he had reported and which had been denied by the Commandant, he replied that there was no doubt on the subject. He also informed the Government yesterday that guns were being mounted at Fort Tilseli, which commands the new port. Under these circumstances, with the approval of Her Majesty's Government, he has given the foreign Consuls notice at daylight this morning, and will commence action 24 hours afterwards, unless the forts on the Isthmus and those commanding the entrance to the harbour are temporarily surrendered for the purpose of being disarmed.

MR. ONSLOW: May I remind the hon. Baronet that he has not answered my Question?

SIR CHARLES W. DILKE: Mr. Cartwright telegraphed yesterday that nearly all British subjects had left Alexandria, and that the few remaining would embark early this morning. He had sent a letter to the President of the Ministry, announcing the withdrawal of the British Agency. Mr. Beaman, who had been left in charge of the Consulate at Cairo, was expected at Alexandria last night. Only three Englishmen have remained at Cairo. They are servants of natives, and elected to stay. There are some British Indian subjects who do not care to leave. The Maltese are believed to have all left. There are constant means of departure from Suez and Port Said, and all the British subjects in the Provinces who are known have received warnings.

SIR GEORGE CAMPBELL: I should like to ask whether it is true that French and other foreign vessels are leaving the harbour of Alexandria?

SIR CHARLES W. DILKE: The terms of any communication which may have passed between Her Majesty's Government and other Governments on this subject cannot be given without Notice.

THE MAGISTRACY (IRELAND)— MR. PEYTON.

MR. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Mr. T. H. Peyton, a magistrate of Longford, made use of abusive and menacing language to Mr. John Manning, of Clornellan, Newtownforbes, county Longford, on the night of the 28th June, and to his son, Mr. Patrick Manning, threatened to shoot Mr. Manning the elder with a gun which he had in his hand, vowed that he would have the younger Manning sent out of the country, and threatened to dash out his brains with the butt of the gun; whether the occasion of the magistrate's interference was that the Mannings were standing near a "bonfire" which was lighted according to custom in Ireland on that evening, an evening commonly called "Old Bonfire Night;" and, whether Mr. Peyton subsequently signed a warrant for the arrest of the younger Manning, and if he can say for what offence the warrant was issued, and what authority Mr. Peyton had for his action in these proceedings?

MR. TREVELYAN: I cannot enter into the merits of this Question in an answer in the House, as the whole case is to form the subject of a magisterial investigation. It is not the case that Mr. Peyton signed the warrant for Manning's arrest. The warrant is signed by Mr. Hill, the Resident Magistrate of the district.

IRELAND—DRAINAGE OF RIVERS— THE RIVER BROSNA.

MR. DILLON asked the Financial Secretary to the Treasury, Whether he is aware that great injury is done every year by the flooding of the Brosna River in counties Tipperary and King's County; that the flooding of the Brosna has occurred since the drainage of the rivers from Kinnety to Birr and from Roscrea to Birr; works executed under the Drainage Board some years ago; that the farmers on the banks of the Brosna have done all in their power, by embankments, &c. to protect their farms, but unavailingly; that 556 acres are flooded nearly every year, and that the Shannon works at Meelick are likely to increase the flooding of the Brosna; and, whether, in view of these facts, he will direct an inspection to be made, and order such works as may be necessary to relieve the farmers from these floods, which have been caused by the operation of the Drainage Board?

Mr. COURTNEY: No complaints appear to have been received by the Government on the subject. But the floods at the place supposed to be referred to are probably due to back-water from the Shannon, and not to the drainage works mentioned in the Question, which were completed respectively in 1856 and 1874. The works on the Shannon at Meelick will not affect the matter; but, on the other hand, those at Killaloe will, it is hoped, greatly decrease the liability of the lands on the Brosna to being flooded. If the Brosna lands are found to be liable to floods, even after the completion of the Shannon works, the proper remedy will be the formation of a new drainage district for their relief.

EVICTIONS (IRELAND)—CASE OF JEREMIAH KELLEHER.

Mr. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Jeremiah Kelleher was evicted by Lord Kenmare five months ago; and, whether his two sons have been for seven months in Kilmainham Gaol?

Mr. TREVELYAN: Jeremiah Kelleher was evicted by Lord Kenmare on the 31st of January. He redeemed on the 3rd instant, having paid the two years' rent which he owed. His two sons referred to are in detention under the Protection Act on reasonable suspicion of shooting at and wounding with intent to murder.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. WILLIAM RUSSELL.

Mr. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Why Mr. William Russell is still detained in Kilkenny Gaol, when all the other suspects from county Tipperary have been released?

Mr. TREVELYAN: His Excellency the Lord Lieutenant having considered William Russell's case on the 29th of June, decided that he could not at present order his release.

Mr. Dillon

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—WILLIAM KENNEDY.

Mr. MOLLOY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can now advise the Lord Lieutenant to release William Kennedy, arrested on the 16th March last under the Protection of Person and Property Act; and, if the district (Philipstown) is not and has not always been most peaceable?

Mr. TREVELYAN: His Excellency cannot at present order William Kennedy's release. He lives in the Edenderry district, where there has been, and is, much dangerous feeling. Several persons are "Boycotted," and under personal protection in the district. The state of the Philipstown district also is unsatisfactory.

THE BOARD OF MANUFACTURERS (SCOTLAND).

Mr. DICK-PEDDIE asked the Financial Sècretary to the Treasury, Whether any portion of the Annuity paid to the Board of Trustees of Manufacturers in Scotland, in discharge of equivalents under the Treaty of Union, has at any time been expended in the purchase of works of Art for the National Gallery of Scotland; and, if it has, whether he will state to what amount it has been so expended?

Mr. COURTNEY: The annuity in question, being a grant in aid, forms one part of the income of the Board of Manufacturers; and the fact that it is so implies a policy of interfering as little as possible with the disposal of the income of the Board. I have, however, reason to believe that the Board has not in the last 35 years devoted any of their surplus income to the purchase of pictures.

RELIEF OF DISTRESS (IRELAND) ACTS —GRANTS TO UNIONS.

Mr. W. H. SMITH asked the Secretary to the Treasury, What is the total amount granted to unions in Ireland under the Relief of Distress (Ireland) Acts, 1880, or any subsequent Act, either through the Board of Works in Ireland or the Local Government Board; and, whether it is proposed to submit a Vote to Parliament to repay to the Irish

Church Fund or the National Debt Commissioners the amount applied as grants out of moneys raised on loan?

MR. COURTNEY: The total amount of free grants to Irish Unions has been £19,069. They were made under paragraph 3 of Section 2 of the Act 43 & 44 *Vict.* c. 14, whereby such grants were made a final charge on the Irish Church Fund. The financial transactions between the Church Fund and the National Debt Commissioners have nothing to do with the disposal of the receipts of the Fund. There is no intention of asking Parliament to reverse the decision arrived at by it in 1880.

PIERS AND HARBOURS (IRELAND)—WORKS AT GOWLEEN TULLIG.

MR. O'SHEA asked the Financial Secretary to the Treasury, in reference to Parliamentary Return No. 203 of this Session (in which it is stated that the works at Gowleen Tullig, county Clare, were completed last March at an expenditure of £255), Whether it is a fact that a further contribution of £15 from charitable sources has since been paid to the Board of Works in aid of a further Government grant of £45 for additional works at the place in question; whether the further grant of £45 was, in consequence, made by the Board for such works; and, if so, why no notice is given in Return No. 203 of the additional contribution and grant; and, if he will cause a Return to be made showing, in the same form, how this additional sum has been expended?

MR. COURTNEY: The statements in the Question of my hon. Friend are correct; and the further Government grant will be included in a Supplementary Estimate, shortly to be laid before Parliament. The grant could not be referred to in the Return, because it was not included in the Parliamentary grant of £45,000. If my hon. Friend wishes to know the details of the further expenditure, I will procure them for him at the proper time; but the amount is too small to justify a Parliamentary Return being made of it.

PIERS AND HARBOURS (IRELAND)—WORKS AT GOWLEEN ROSS AND GERRAHIES REEF.

MR. O'SHEA asked the Financial Secretary to the Treasury, What has become of the £7 stated, in Return No. 203, to have been saved on the works at Gowleen Ross, county Clare, the amount contributed from local and other sources, and by Government grant, having been £600, and the works having been completed for £593; and, whether, as the proportion contributed towards obtaining this grant was obtained through charitable associations, to relieve the prevailing distress, he will give orders that this sum of £7 be expended in providing fishing gear for some distressed fishermen in the neighbourhood?

COLONEL COLTHURST also asked, in reference to Parliamentary Paper of this Session, No. 203, What has become of the sum of £45 saved on the works at Gerrahies Reef, in the county Cork, the amount appropriated for such work being £220, and the amount for which the work was finished last October being only £175, and, as the money contributed for such work to obtain a Government grant was made up from charitable sources to relieve the prevailing distress, he will give orders for the expenditure of this sum of £45 on fishing gear for some of the poorest fishermen in that locality?

MR. COURTNEY: My hon. Friend (Mr. O'Shea) has noticed that the works at Gowleen Ross cost a few pounds less than was anticipated; but, on the other hand, those at other places cost more; and, on the whole, it will be necessary to spend somewhat more than the amount as yet provided by Parliament on the fishery piers and harbours included in the Return referred to. I may remind the House that the greater part of the £15,000, contributed otherwise than from voted moneys, was not subscribed locally, but came out of the gift of Canada at the time of distress. The same remarks apply to the Question of my hon. and gallant Friend the Member for the County of Cork, relating to Gerrahies Reef.

EDUCATION DEPARTMENT—SCHOOL TEACHERS' PENSIONS.

MR. LYULPH STANLEY asked the Vice President of the Council, Whether, as promised to the Member for East Cornwall last Session, he has taken into consideration the whole question of pensions to those teachers who entered upon their duties before May 1862; and, if so, whether, in view of the great and increasing distress among these teachers, and the inadequacy of the sum now voted by Parliament for teachers' pensions, the Education Department is prepared to apply to the Treasury for a larger vote than the present sum of £6,500 per annum, and to what extent?

Mr. MUNDELLA: I have consulted the Treasury on the question of teachers' pensions, and, having regard to the fact that a Committee of this House reported in 1872 that the Minute of 1846 gave no teacher a vested right to a pension, and that, in 1875, £6,500 per annum was given by the late Government as an *ex gratiâ* payment, and accepted by the House in final settlement of the teachers' claims, the Treasury declines to re-open the question.

ROYAL COMMISSION ON AGRICULTURE —THE REPORT.

Mr. ARTHUR ARNOLD asked the Secretary of State for the Home Department, Whether he has received the Report of the Royal Commission on Agriculture; and, if so, whether he can state when Copies will be issued?

Sir WILLIAM HARCOURT, in reply, said, he had not yet received the Report; but he learned from the Secretary to the Commission that there was reason to believe it would be forwarded in the course of next week or the week after.

PARLIAMENT — SCOTCH BUSINESS — EDUCATIONAL ENDOWMENTS (SCOTLAND) BILL.

Mr. DALRYMPLE asked the honourable Member for the Kirkcaldy Burghs, Whether, with the view of expediting Scotch business, without having recourse to a Grand Committee, the principle of which has not been sanctioned by the House, he will remove the blocking notice which stands in his name, and use his influence with his political friends who are Scotch Members of Parliament, and supporters of Her Majesty's Government, to induce them to remove the seven other blocking notices which arrest the progress of the Educational Endowments (Scotland) Bill?

Sir GEORGE CAMPBELL, in reply, said, he was afraid the hon. Gentleman had very much overrated his influence with other Scottish Members; but he would state his own position. He had tried to elicit the opinion of his constituents on the subject. Two of the school boards had expressed themselves in its favour, and another body specially interested in the Bill had also declared in favour of the Bill, with one or two Amendments, which he meant to press. If he had no other communications against the Bill, he would withdraw the Notice standing in his name. If the Bill were referred to a formal Committee, or the clauses settled and discussed at an informal meeting, or if the Vice President and the Lord Advocate were to adopt such a course, he thought it not unlikely that something might be done.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. EDWARD JENNINGS.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the fact that Mr. Edward Jennings has been removed from Monaghan Prison to Kilmainham on account of the state of his health; whether two doctors certified that his health was then very bad; whether he is aware that, previous to his arrest, Mr. Jennings was a long time in a hospital in Dublin; whether any medical report has been ordered by the Government upon his condition; and, whether he can see his way to recommending his discharge?

Mr. TREVELYAN: Edward Jennings was removed from Monaghan to Kilmainham Gaol on the 7th of June, in order that His Excellency might obtain the opinion of a physician of eminence upon the state of his health; and on the 9th of June he was examined by Dr. Croly, the senior surgeon of the City of Dublin Hospitals, and Dr. Carte, the medical officer of Kilmainham, who certified that they did not consider his life in danger by further confinement. Jennings alleges that he was under medical treatment in Dublin in January, 1881; but I have no other information on this point. His Excellency is causing further inquiries to be made relative to the state of his district.

CRUELTY TO ANIMALS—STATISTICS.

Mr. HEALY asked the Secretary of State for the Home Department, Whether his attention has been called to the Report of the Society for the Prevention of Cruelty to Animals in England, showing that in the five months ending May 1882, no less than 1824 convictions (not including those obtained by the police or by kindred societies) had been recorded for cruelty to dumb animals, including instances of starving, houghing, burning, slowly bleeding, shooting, scalding, and worrying; and, whether, in view of the brutal character of these outrages in England, he will take any legislative steps to increase the punishment to which offenders at present are sentenced?

SIR WILLIAM HARCOURT, in reply, said, that in regard to the cruelty to which the hon. Member specially referred in the Question, he had received a letter from the Secretary to the Society for the Prevention of Cruelty to Animals, in which that gentleman said there were only 61 cases, of which 48 were cases of starving by giving insufficient food. That left only 13 of the other kinds of cruelty. Ten of those were offences by boys in setting dogs upon cats, one for shooting, and one for scalding an animal. The Secretary to the Society went on to say that in Great Britain it would be no exaggeration to say that generally every citizen did everything he could to promote the detection of such crimes. In England, public opinion condemned cruelty, and there was no difficulty in obtaining the attendance of witnesses in such cases.

MR. HEALY said, that his figures had been taken from the Report of the Anti-Vivisection Society.

SIR WILLIAM HARCOURT said, that the total of 61 referred to the cases specifically referred to by the hon. Member.

MR. T. P. O'CONNOR asked whether citizens interfered when husbands were beating their wives?

[No reply was given.]

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—PATRICK KAVANAGH.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether or not the time has now arrived when Patrick Kavanagh, now a suspect in Enniskillen Gaol, might be released, seeing that Killinkere parish, county Cavan, from which he was taken prisoner, is perfectly peaceable?

MR. TREVELYAN: His Excellency the Lord Lieutenant had Patrick Kavanagh's case under consideration on the 19th of June, and decided that he could not order his release.

AFRICA (SOUTH) — CETEWAYO, EX-KING OF ZULULAND—VISIT TO THIS COUNTRY.

MR. GIBSON asked Mr. Attorney General, What will be the status of Cetewayo within the limits of the United Kingdom; will he be regarded by Her Majesty's Government as free, or as a prisoner of war; if he is treated as a prisoner, and a writ of habeas corpus should be applied for on his behalf, what legal justification would be offered for his detention; is the Colonial Act passed for his detention spent by his release; and, is it intended to pass an Act for the indemnity of those who may assist in his future detention, similar to the Act passed in the year 1816,

> "In consequence of Napoleon Buonaparte having been detained and kept in custody in the island of St. Helena?"

THE ATTORNEY GENERAL (Sir HENRY JAMES): I fear I cannot answer the five Questions of the right hon. and learned Gentleman quite so briefly as I should wish, for, without some explanation, my answer might give rise to misunderstanding. Cetewayo is coming to this country at his own special request. In order to do so, he quits the legal custody in which he now is upon certain terms. He has agreed to obey all directions given to him, and acquiesces in the right of Her Majesty's Government to make such future dispositions as to his custody as may be thought right. While in this country he will not, unless circumstances shall arise which are not now contemplated, be subjected to the actual restraints which generally accompany the position of a prisoner of war; but he will necessarily be always accompanied by someone who will be approved by the Government. This will, I think, give a practical answer to the right hon. and learned Gentleman's first and second Question; but I do not desire to shrink from bearing the responsibility of the opinion given by the Solicitor General and myself in March last, and which is referred to in Lord Kimberley's despatch of March 9. We advised the Colonial Office that Cetewayo could, if the Government thought right, be treated as a prisoner of war, and we adhere to that opinion. [Mr. Gibson: Treated now as a prisoner?] Yes, now. I am aware that a different view has been expressed elsewhere; and while I speak with sincere respect for that opinion, my learned Friend and I adhere to the advice we have already given. While the country was at war with Cetewayo as King of the Zulus, he was taken prisoner by our Forces. No Treaty of Peace has been made with him, and no peace has been made which affects his status. My view is that the right to detain a prisoner of war continues until the country which captured him agrees to his release. I am glad to think that this view has been expressed by Lord Ellenborough and Lord Eldon. In reference to our right to detain Napoleon Buonaparte, the former said—

> "From the consequences of that state of war he cannot be redeemed, but by the terms of such Treaty of Peace as we may make with him individually, or with others for him. Being once an enemy he can only be at peace with us by our act and consent, and, of course, upon such terms only as we shall mutually agree upon."

And Lord Eldon said—

> "The question is whether, if we have a right to treat him as a prisoner of war, it can possibly be inconsistent with justice or the Law of Nations that till some peace is made by Treaty with some person considered as his Sovereign, or till some peace is made with him, we keep him in prison in some part of the King's Dominions. I presume if we can keep him as a prisoner of war for a moment, we can keep him until some peace is made with him or including him."

The opinion thus expressed appears to have been entertained by the late Government, for Cetewayo was detained as a prisoner of war from the termination of the war in August, 1879, until July, 1880, when he was handed over to the authorities of the Cape Colony. As to the third Question, I cannot anticipate that any writ of habeas corpus can be applied for, or that any such motion would be entertained; but if it be, a Return would be made setting out the facts according to the truth. To the fourth Question, I say that I think that as soon as Cetewayo passes from his present detention, the powers of the Colonial Act will be spent; but that Act was passed to justify Cetewayo's detention by the Cape Colony on the ground that the Colony, as such, not having been at war with him, there was no power to detain him in the Colony. Imperial rights are not interfered with by its powers being expended. The last Question of my right hon. and learned Friend is calculated to give rise to a false impression. The Act of Indemnity passed in 1816 did not contain any indemnity on account of the detention of Napoleon Buonaparte, but only on account of certain orders which might have been given, or acts which might have been done at St. Helena under the urgency of the occasion in order safely to detain him. I will only add that on introducing that Bill into this House in March, 1816, Lord Castlereagh said he did not think that any Act of Indemnity was necessary, for he maintained our right to detain Napoleon Buonaparte as a prisoner of war, although a Treaty of Peace with France had been concluded, and Mr. Brougham said—

> "Whether we consider Buonaparte as a prisoner of war not claimed by his own Government or in any other light, we have an unquestionable right to detain him, even by the Law of Nations, without any Act of Parliament."

I believe I have now answered all the Questions put to me by the right hon. and learned Gentleman.

Mr. GIBSON: Will he be allowed any change of residence, and will he be allowed to go to Ireland?

[No answer was given.]

BOARD OF WORKS (IRELAND)—INVENTORY OF STORES.

Mr. ARTHUR O'CONNOR asked the Financial Secretary to the Treasury, Whether the Board of Works in Ireland have yet made a complete inventory of furniture and other articles in their charge, as recommended by Lord Lansdowne's Committee, in 1873, and by Viscount Crichton's, in 1878; and, whether he can state the estimated value of such property?

Mr. COURTNEY: The Board of Works have made a complete inventory of the furniture and other articles in their charge, and a general revision of it is now in progress, and is nearly complete. The value of such property is obviously extremely difficult to ascertain; but I am informed that it may be taken approximately at about £500,000.

THE IRISH LAND COMMISSION—THE SUB-COMMISSIONERS—MR. MEEK.

Mr. FITZ-PATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Meek, one of the Sub-Commissioners for the county of Armagh, is the same individual who gave evidence in favour of the tenants at Cookstown, in March last, before the Sub-Commission composed of Messrs. Fitzgerald, Comyn, and Mahony; whether, upon that occasion, the Sub-Commission in question fixed the fair rent of the tenants of Colonel the honourable Stuart Knox twenty-five per cent. above the amount which Mr. Meek swore was the fair value; whether, at the same sitting, the said Sub-Commission fixed the fair rent of the tenants of Mr. Bell thirty-three per cent. higher than the sworn valuation of Mr. Meek; whether the said Mr. Meek is the same person who gave evidence for the tenants at Magherafelt, on or about the 14th February last, before the Sub-Commission, composed of Messrs. Burke, O'Brien, and Davidson, and whether this Sub-Commission fixed the fair rent of Lawrence Madden thirteen per cent. above Mr. Meek's sworn valuation; whether one of the chairmen of the above-named Sub-Commissions publicly animadverted on the conduct of Mr. Meek in connection with his evidence; and, whether the Mr. Davidson, with whom Mr. Meek has since been associated as a Sub-Commissioner in the neighbouring county of Armagh, is the same Mr. Davidson who sat at Magherafelt in February last, when the land cases in which Mr. Meek was valuator for the tenants, were adjudicated upon?

MR. TREVELYAN: Mr. Meek gave evidence of valuation on behalf of the tenants of Colonel Stuart Knox and Mr. Bell before the Cookstown Sub-Commission, which was constituted as stated in the Question. In the former cases the judicial rents were fixed at about 25 per cent above Mr. Meek's valuation, and in the latter cases they were fixed at about 36 per cent above his valuation. With reference to the rest of the Question, I have not yet received the information as to what occurred at Magherafelt; but the Land Commissioners have written to me explaining that the answer they sent to me in reference to a previous Question put to me by the hon. Member had reference solely to the Tyrone Sub-Commission. The cases referred to were Tyrone cases, and they accordingly limited their inquiries to that county. They are now making further inquiries with reference to the Magherafelt Sub-Commission. If it should turn out that there was any inaccuracy in my previous answer, I must hold the Land Commissioners as entirely responsible for it.

MR. HEALY: Has the attention of the Chief Secretary been called to the language of the Marquess of Salisbury in "another place," in which, when speaking of a Land Sub-Commissioner, he referred to him as one of the most persistent persecutors of the landlord; and whether, in view of this statement, the Government thought it necessary to take any steps?

MR. TREVELYAN said, he had seen the speech and regretted it; but he did not think it called for any action on his part.

CRIME (IRELAND)—RECENT MURDERS.

MR. FITZ-PATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, having regard to the threats used by three men named George Richmond, John Reilly, and Francis Grundy towards the widow of the man John Kenny, recently murdered in Dublin, and the danger she is now apparently in from the vengeance of the secret societies in Ireland, he will recommend that she be given such grant of money as will enable her and her family to leave the Country, and thus avoid the fate of the unfortunate man Bernard Bailey, who, though anxious to leave the United Kingdom, was refused the necessary pecuniary aid, and was in consequence murdered a few days afterwards?

MR. TREVELYAN: Careful steps have been taken for the protection of Mrs. Kenny and her children. I am communicating with His Excellency as to the question of her future safety.

IRELAND—PRISONERS DETAINED UNDER THE STATUTE 34 EDWARD III. c. 1.

MR. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the further inquiries he proposed to make, Whether he can now state the decision of His Excellency in the cases of Miss Hogan, Miss O'Neill, and Mrs. Hanlon, imprisoned in Tralee Gaol under the statute of Edward III.; and, what has been the result of his inquiries respecting the allegations put forward in the Question of the 26th ultimo?

Mr. TREVELYAN: His Excellency is still considering the matter of the release of these ladies. With regard to the latter portion of the Question, I find that the arrangement for the reception of visitors to prisoners in Tralee Gaol is that which existed under the late Board of Superintendence, and is as follows:—The visitor is between two gates, under cover, with a form to sit on, while the prisoner is at a distance of 11 feet, and in the open air. It is not the case that visits are interrupted by other prisoners or officers passing through the gates, and every precaution is taken to prevent any such interruption. It is in accordance with the Prison Rules that the female prisoners referred to in the Question have not been allowed to communicate with each other except in the presence of their solicitor or the matron. I may add that the existing arrangements for the reception of visitors are at present under the consideration of the Prisons Board, with a view to improvements being carried out, which certainly seem to me to be called for.

EGYPT—THE FLEET AT ALEXANDRIA.

Mr. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether, with regard to Her Majesty's ships "Alexandra," "Superb," "Inflexible," "Temeraire," and "Sultan," any one or more of them has, since the 11th day of June, been within the port of Alexandria; and, whether any of them are there now; and, if not, whether he has any objection to communicate to the House of Commons the same information with regard to their whereabouts that is already possessed by the Egyptian insurgents?

Mr. CAMPBELL-BANNERMAN: My hon. Friend has asked me to answer this Question for him. I am sorry to say the only answer I can make is to decline to give any information.

NAVY—H.M.S. "THUNDERER."

Mr. MAC IVER asked the Secretary to the Admiralty, Whether he can inform the House what has become of Her Majesty's ship "Thunderer;" and, if it is true that this heavily armed and formidable vessel is, from motives of economy, lying dismantled at Malta?

Mr. CAMPBELL-BANNERMAN: The *Thunderer* is at Malta Dockyard, undergoing the usual repairs preparatory to being re-commissioned. The hon. Member will find her included in the programme of repairs at that Dockyard, on page 203 of the Navy Estimates for this year.

MALTA—FORTIFICATIONS—SLIEMA HARBOUR.

Mr. MAC IVER asked the Secretary of State for War, Whether the heavy ordnance recently sent to Malta for the new fort Tigné, at Sliema, for protection of the harbour, is mounted?

Mr. CHILDERS: Yes, Sir.

NAVY—ROYAL MARINES IN EGYPT.

Mr. GORST asked the Secretary to the Admiralty, Whether a General Officer of Marines will be appointed to take the command of the force of Royal Marines now in Egypt?

Mr. CAMPBELL-BANNERMAN: No, Sir; there is no intention to require the services of a general officer of Marines in Egypt; and, as a matter of fact, there is no force of Royal Marines now in Egypt.

ARTIZANS' DWELLINGS—LEGISLATION.

Sir STAFFORD NORTHCOTE (in the absence of Sir R. Assheton Cross), asked the Secretary of State for the Home Department, If the Government will endeavour to secure the passing of a Bill during the present Session to carry into effect the general recommendations of the Artizans' Dwellings Select Committee?

Mr. SHAW LEFEVRE (for the Secretary of State for the Home Department), in reply, said, it was the intention of the Government to endeavour to pass such a measure in the present Session.

EVICTIONS (IRELAND).

Sir MICHAEL HICKS-BEACH asked the Chief Secretary to the Lord Lieutenant of Ireland, What number of the 2,476 cases of eviction which he stated had taken place in the first five months of 1882 were for non-payment of rent; in how many of such cases the Constabulary authorities have reported

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their opinion that hardship was caused to the tenant owing to his inability, from poverty caused by bad seasons, to pay the rent due; and, in how many cases non-payment was reported as due to unwillingness or fear of injury on the part of the tenant?

MR. TREVELYAN: I will lay upon the Table a Return of the number of cases of eviction in the first six months of this year, distinguishing the number of cases of non-payment of rent and cases of hardship.

IRELAND—USE OF BLOODHOUNDS.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there is any foundation for the report, now current in the Irish Press, that the Government have resolved upon the employment of bloodhounds for the detection of crime in Ireland?

MR. TREVELYAN: The Government have no intention of the sort—never had such an intention—and never entertained the idea of it.

EVICTIONS (IRELAND)—EVICTIONS AT KILLASPAGBRONE, CO. SLIGO.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the local constabulary have reported that, on the 10th of last month, a landlord named J. T. Knox evicted a tenant named William Million, and a sub-tenant named Edward Gilgan, from the townland of Siberia, parish of Killaspagbrone, and county of Sligo; whether only Gilgan was reinstated; and, whether he was reinstated only in the capacity of a caretaker; whether it is the fact, as reported by Relieving Officer Feeney, at a recent meeting of the Sligo Board of Guardians, that the landlord violated the Law by not giving the Poor Law authorities of the district any notice of the eviction; whether the Irish Local Government Board wrote, on the 21st ultimo, to the Sligo Board of Guardians instructing them that the landlord, by his default, had subjected himself to a penalty of £20, which should be applied in relief of the rates of the electoral division; whether it is true that no steps have been taken to enforce the penalty; whether the readmission of one of the evicted persons as a caretaker leaves the liability of the landlord to the penalty unaltered, especially as he has issued public advertisements for the reletting of the lands, and the caretaker may at any moment be left without a shelter; and, what steps will be taken to recover the penalty for the benefit of the electoral division?

MR. TREVELYAN: The Constabulary have furnished Reports in reference to these evictions. It is the case that Edward Gilgan, the sub-tenant, has been reinstated as a caretaker. He lived on the farm; whereas the other man, William Million, lived half-a-mile away. The Relieving Officer did assert that the landlord had violated the law by not giving the Poor Law Authorities of the district any notice of the intended evictions; but it now appears that he was quite wrong in this, as he has since found the notice among his papers. I have a copy of it here; it is dated the 27th of May, and the evictions took place on the 10th of June.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. PATRICK C. KELLY.

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Why Mr. Patrick C. Kelly, of Athenry, is still detained in Galway Gaol, having been arrested so far back as November the 9th, and being charged only with intimidation?

MR. TREVELYAN: The Lord Lieutenant considered Patrick Kelly's case on the 6th ultimo, and decided that he could not as yet order his release.

LAND LAW (IRELAND) ACT, 1881 — —CLAUSE 8—"M'GARRY *v.* THE EARL OF GRANARD."

MR. HEALY asked the First Lord of the Treasury, If it is the fact that in the case of Michael M'Garry *v.* Earl of Granard the tenant served his originating notice to have a fair rent fixed at the "first sitting" of the Land Commission in October, that the case was listed for hearing at Mohill on 27th February, before the Sub-Commission, of which Mr. Cecil Roche, B.L., is the legal Commissioner, that Mr. Roche, on the landlord's application, against the wishes of the tenant, and after a private interview of considerable duration with Lord Granard's agent, postponed the case without adequate reason; whether Lord Granard made use of the interval to eject the tenant for an old arrear, refusing to readmit him as caretaker, although his family numbers fourteen; whether, in consequence of the judgment in ejectment which followed his postponement of the case, Mr. Roche decided on the 30th ultimo, when it again came before him, that he was then precluded from entertaining the tenant's application, which he accordingly dismissed, though the tenant had not been evicted or even sued for rent when the case was originally listed; and, whether, if these facts are correct, he will consider the necessity of amending the Land Act, so as to prevent a similar failure of justice, and meanwhile will cause the Land Commission to impress on their Assistant Commission the desirability of discouraging groundless applications for postponement made by landlords, and the importance, when such applications are granted against the tenant's wishes, of requiring an undertaking that the delay should not be made use of for the purpose of eviction?

Mr. TREVELYAN: I will answer this Question. The case referred to in the Question of the hon. Member was listed for hearing at Mohill for February 27, before the Sub-Commission, of which Mr. Roche is legal Commissioner. No application was made by the landlord for a postponement of the case, and Mr. Roche had no interview with Lord Granard's agent. The reason for the postponement simply was that there was not time to hear all the cases. With regard to the rest of the Question the Land Commissioners inform me that they are ready now, if M'Garry's time of redemption has not expired—and they have reason to infer that it has not—to hear an application from him to have the time enlarged, so as to have a fair rent fixed with a view to the sale of his holding. This is their invariable practice, and they have taken steps for informing the tenant of it in order that he may take advantage of it if he is in a position to do so. Under these circumstances, the amendment of the Act, as suggested by the hon. Member, does not appear to be wanted. Mr. Roche appears to have taken an erroneous view of the matter when the case came before him on the 30th ultimo; but, no doubt, the Land Commissioners have since pointed out the proper procedure to him for his future guidance.

Mr. HEALY said, that the time of redemption had expired. Mr. Roche admitted his error, and he wished to know what compensation the Government was going to give the tenant? There were some 90,000 cases before the Land Courts; and in many cases the time of redemption had expired owing to these postponements by the Courts. What were the Government going to do? Were they going to appoint a sufficient number of Sub-Commissioners to carry out the Act?

Mr. TREVELYAN said, the Lord Lieutenant had had repeated interviews with the Land Commissioners with special reference to the progress of their work. With regard to the case of M'Garry, it was the opinion of the Land Commissioners that he had still a chance; but if he had not, the hon. Member for Wexford might renew his Question.

Mr. HEALY said, that if this tenant was shut out from the operation of the Act, he should ask the Government what compensation they were going to give this man for this error of a Government official?

WAYS AND MEANS—INLAND REVENUE —THE CARRIAGE TAX.

Mr. W. H. SMITH asked the First Lord of the Treasury, If he will state the amount received for carriage licenses within the Metropolitan district as compared with the total sum derived from that impost; and, whether it is proposed to make a contribution towards the cost of highways within the Metropolis from the increased carriage tax, if it is approved by Parliament?

Mr. GLADSTONE: The total amount of the Carriage Duty in 1880-1 was £548,000, and of that sum £52,000 is derived from the Metropolis. By the Metropolis I mean the district which is within the scope of the Metropolis Management Act. With regard to any contribution towards the cost of highways, we have already said that it will not be possible, in answer to Questions, to state what our plans will be with regard to particular interests, and I hope the right hon. Gentleman will allow me to postpone that matter.

INDIA—IMPORTATION OF EXPLOSIVE OILS—RE-SHIPMENT OF PETROLEUM ILLEGALLY LANDED.

MR. ECROYD asked the Secretary of State for India, If it is true, as stated in the "Times" telegraphic intelligence, that a large quantity of petroleum, illegally landed some time ago on the banks of the Hooghly, and afterwards, by official direction to the Commissioner of Police, ordered to be trans-shipped within seventy-two hours, still remains, to the serious danger both of the shipping in the river and houses in the neighbourhood; and, whether the order for its trans-shipment has been suspended or withdrawn; and, if so, if he would state why?

THE MARQUESS OF HARTINGTON: I have not received any communication on this subject from India; but I am informed that the question of the disposal of petroleum is still under the consideration of the Government of India.

CRIME (IRELAND)—THE ATTEMPTED MURDER IN CO. CLARE.

MR. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Government have received any information regarding the attempted murder yesterday in the county Clare, and if any arrests have been made?

MR. TREVELYAN: The Resident Magistrate at Ennis reports—

> "John Doloughty when returning from Mass yesterday received an entire charge of small shot in the face, which destroyed his eyes and very seriously wounded him otherwise. He cannot recover. The man named in his dying declaration as having committed the act is arrested."

THE MINISTRY—THE DIVISION ON FRIDAY.

MR. A. J. BALFOUR asked the Prime Minister, Whether, in consequence of the division on Friday night, he had reconsidered his personal position?

MR. GLADSTONE: The time, I apprehend, has not come—and the hon. Gentleman might have known it had not come—for me to make a statement on the subject, which I can only do after the Questions have been put.

MR. SEXTON: I wish to ask the Home Secretary a Question in reference to this statement which appears in an eminent provincial journal:—

> "The defeat of the Government is attributable to Mr. Goschen. He had been arranging the cabal for the last ten days. He made his speech to-night, and having done his Leader as much harm as he could, he ran away. It is also certain that a hint was given from the Cabinet, inasmuch as the Prime Minister had acted over the head of the Home Secretary and without the previous consent of the Cabinet."

I wish to ask the Home Secretary whether, so far as he is concerned, that statement is accurate?

SIR WILLIAM HARCOURT: Sir, I shall give no answer to that Question.

EGYPT—ENGLISH REFUGEES.

MR. ASHMEAD-BARTLETT wished to ask the Prime Minister a Question, of which he had given him private Notice. It was, Whether it was the intention of the Government to propose to give some relief out of the public funds to the thousands of British subjects who were now refugees and destitute owing to the policy of Her Majesty's Government in Egypt?

MR. GLADSTONE: I am not able to answer the latter part of the Question, which states that the policy of Her Majesty's Government has brought these persons into that position. I might observe that in what he called his private Notice, the hon. Member said nothing at all of the fact that these sufferings were owing to the policy of Her Majesty's Government. As regards the Question, which is really important, as to whether provision has been made for the wants of those unhappily suffering persons, and with respect to the charge arising therefrom, Her Majesty's Government are in communication with the local authorities.

PARLIAMENT—PRIVILEGE—SUSPENSION OF IRISH MEMBERS (SATURDAY, JULY 1)—THE CHAIRMAN OF COMMITTEES.

MR. CALLAN: I beg to ask the Chairman of Committees two Questions, of which I have given him private Notice. The first is, Whether the private and confidential note which he addressed to the London correspondent of *The Scotsman* newspaper in the Gallery did not in itself unmistakably convey that the object of the letter was to obtain publicity, inasmuch as the note substantially desired that he should communicate its contents to the Press? My next Question is, Whether on Saturday morning, immediately after the suspension of the 16 Members, he addressed another communication to a member of the Press, not connected with a Scotch paper; and, if so, what was the purport of that communication, and what were the reasons which induced him to make it?

Mr. LYON PLAYFAIR: I can readily answer the Question of the hon. Member. The letter to which on a former occasion he drew my attention as having been shown to several gentlemen of the Press without my knowledge was simply written by me to draw attention to what had been stated by me from the Chair in Committee—that I had Named the Members for continued Obstruction during the whole time the Bill had been in Committee. As the communication was marked "private and confidential," the hon. Member will feel with me, that a private letter shown without the knowledge of the writer is not public property, so that I shall decline to make any explanation with regard to it.

Mr. CALLAN: The right hon. Gentleman has not answered my second Question—Whether he addressed on Saturday morning another communication on the same subject to any member of the Press not marked "private and confidential"?

Mr. LYON PLAYFAIR: I have no other answer to give him, Sir.

LAW AND POLICE—RIOTS AT TREDEGAR.

Mr. PARNELL: I have to ask the Home Secretary, Whether he can give any further particulars with reference to the disturbances at Tredegar; how many of the Irish population have been injured; whether there are any women and children among the injured; and, whether the authorities are taking steps for the protection of the Irish inhabitants of this and other towns in England and Scotland; and, if so, what are those precautions?

Sir WILLIAM HARCOURT: I received a telegram yesterday morning about 11 o'clock, saying that disturbances of a very serious character had occurred between the English and Irish populations at Tredegar, that further mischief was apprehended, and that the force of police there was not adequate to deal with it. Therefore, I caused communication to be made with the military authorities in order that if any assistance of that character were required it might be immediately rendered. The information I have stated was communicated to me yesterday morning in a very short telegram which gave no special details. I have received no further report today. The hon. Member will see I have taken every measure of precaution I could.

Mr. PARNELL: Has the right hon. and learned Gentleman asked for any further details since yesterday morning, or as to whether the sacking of the houses of the Irish inhabitants is still being continued?

Sir WILLIAM HARCOURT: I take it for granted that the authorities would have asked for military assistance if any further disturbances occurred, and I have not heard they have done so.

IRELAND—THE 12th OF JULY—ORANGE PROCESSIONS.

Mr. PARNELL: I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that it has been decided not to ask for extra police in Belfast on the 12th of July; also if his attention has been called to the statement in yesterday's "Observer," that the Orangemen had received special orders on this occasion to march through the most Catholic quarters of Belfast; and, whether, in view of this and of addresses and circulars to the Orangemen, he will tell the House that special steps have been taken to preserve life and order in the North of Ireland?

Mr. TREVELYAN could only say that he was in constant correspondence on the subject of the approaching celebration, and he had reason to believe that the local authorities were quite alive to the necessity of taking measures to preserve order.

Mr. PARNELL: Is it true that no extra police have been sent, and would not this be the first occasion on which extra police had not been sent?

Mr. TREVELYAN: I will answer the hon. Gentleman to-morrow; but I am quite sure there is nothing unusual in the action of the authorities.

EGYPT—ARMAMENTS AT ALEXANDRIA —IMPENDING HOSTILITIES.

SIR WILFRID LAWSON: I beg to ask the Prime Minister a Question I think he can answer at once. It is, whether, before the Fleet are allowed to bombard the Egyptian forts, any declaration of war will be made, stating the grounds on which it is intended to attack the Egyptians?

VISCOUNT FOLKESTONE: Before the right hon. Gentleman answers that Question, I should like to ask, if there is a declaration of war, to whom it will be addressed—to the Sultan, to the Khedive, or to Arabi?

MR. GLADSTONE: On this subject I have nothing whatever to add to the information which has been given by the hon. Friend the Under Secretary of State for Foreign Affairs. I should not admit that attacking the Egyptians was a proper and accurate description of the measure to be taken; it is considered by us to be a purely defensive measure, necessary for the security of the Fleet.

SIR WILFRID LAWSON: Will the right hon. Gentleman tell us whom the Fleet is going to attack, if not the Egyptian people?

[No reply was given.]

MR. ASHMEAD-BARTLETT wished to ask whether the Sultan, who was the Sovereign of Egypt, or the Conference at Constantinople had given their assent to the proposed bombardment of Alexandria?

[No reply was given.]

MR. ASHMEAD-BARTLETT said, he would repeat the Question to-morrow.

MR. C. SEELY (*Nottingham*): I wish to ask the right hon. Gentleman whether the bombardment of the Egyptian forts will not be, as a matter of fact, a declaration of war against Turkey; and whether, if that is the case, it is the intention of Her Majesty's Government to adopt the usual course of withdrawing Her Majesty's Ambassador from Constantinople?

[No reply was given.]

MR. C. SEELY (*Nottingham*): I do not often interfere; but it is idle to give Notice of a Question of this kind when the Fleet may commence operations at 6 o'clock to-morrow morning; and I beg again to ask the Prime Minister whether the Government would tell the House whether the action of the English Fleet, which we are told is contemplated, will or will not be a declaration against Turkey; whether, if that is the case, Her Majesty's Government intend to adopt the usual course of withdrawing Her Majesty's Ambassador from Constantinople in view of such a course; and, whether the adoption of that course is not, as a matter of fact, an infraction of the Treaty of Berlin and several other Treaties? I beg to ask that Question, and, if necessary, I will conclude with a Motion.

MR. GLADSTONE: The repetition of the original Question does not at all alter my position. I can perfectly understand that the hon. Member might have reasons for pressing the Question, and for urging the Government to give the best answer to it in their power, if that answer were an answer which could in any way influence the action or the policy of the Government; but no answer that I could give, or that the hon. Member could receive, could have that effect. That being so, the hon. Gentleman will see that he is putting to me a Question involving several assumptions, some of them of very considerable nicety, which I am by no means prepared to admit on the moment. I must certainly fortify myself by reference to better authorities before admitting that the assumptions which appear to be involved in the Question are correct assumptions. It is by no means with a view to baffle the hon. Member's purpose that I ask for Notice; but simply in order that I may be able to give an answer embodying full and accurate information.

MR. C. SEELY (*Nottingham*): I would ask, then, another Question. What is the object for which the Fleet is to bombard the Egyptian forts? As I understand it, there is no question whatever now of danger to British life and property.

MR. SPEAKER: The hon. Member is not now confining himself to his Question, but is travelling into a matter of debate.

MR. C. SEELY (*Nottingham*): I will ask the right hon. Gentleman this definite Question—What is the object for which the Fleet is to bombard the forts of Alexandria; and, whether there is any danger to the lives and property of British subjects in Egypt?

Mr. GLADSTONE: It is not a question of immediate danger to British subjects in Alexandria. I have very great doubt, at this moment, if there are any British subjects there. The instructions given by Her Majesty's Government have had reference to the security of Her Majesty's ships.

Mr. C. SEELY (*Nottingham*): I am very sorry to be perpetually asking Questions. I again ask whether there are not sufficient ships in front of the harbour of sufficient power to destroy the Egyptian forts at any time that may be necessary — say in a week's time —even allowing that the Egyptians mounted all the guns in Egypt at the present time. If that be the case, what is the object of the bombardment?

[No reply was given.]

THE MINISTRY—PUBLIC BUSINESS—AN AUTUMN SESSION.

MINISTERIAL STATEMENT.

Mr. GLADSTONE: Sir, the House will probably expect to hear from me a few words in reference to what occurred on Friday afternoon. That occurrence was, so far as I know, an occurrence without precedent in the annals of this House. It was one on which I personally entertain views on which it is not now necessary to dwell, and which are possibly out of date. However that may be, I have thought it my duty to examine what has happened, in reference to its practical bearings, and likewise in reference to the peculiar responsibility of the Government at the present moment. The House has placed in the hands of Her Majesty's Government a power restrictive of liberty and domestic security, which the Government itself feels to be unnecessary. But the powers of the Bill generally are discretionary powers, and it will be the duty of the Government to exercise all such, and only such, of them as they may find requisite. With regard to this particular power to which I allude, I cherish the hope that no such necessity may arise. If, however, any such necessity should arise, it is obvious that the Government would lie under the very same obligation and responsibility with respect to this particular power as they lie under with regard to all the other powers in the Bill. That is all I need say to the House on this subject; but there is another matter to which, perhaps, the House will listen with greater interest. This is July the 10th, and some time ago Questions were put from the opposite Bench with respect to the intentions of the Government as to the future Business of the Session; and I then intimated that at an early period, when we had made considerable progress with the two Irish Bills before the House, I would endeavour to give information on that subject. I will now do my best to redeem that pledge. Of course, what I have to say pre-supposes that these two Irish Bills shall have become law. If anything should intervene to prevent them, or either of them, from becoming law, in that case the outline I shall now draw must be considered as not having been officially stated, and the Government will resume its full liberty of action. I have already stated, in substance, that we abandon all hope of passing any of the Bills which were announced at the beginning of the Session, except the Corrupt Practices Bill; and, of course, in speaking of the abandonment of Bills, I reserve secondary measures, and any Bills with respect to which there may not be any material difference of opinion, and from which no great expenditure of time may be expected. One important subject was left in doubt at the time when I last spoke, and that was the amendment of the Irish Land Act. Various heads, none of them touching the essence of the Act—the provisions relating to tenure—but still touching very important matters, have been raised, and have attracted, in different degrees, public interest, both here and in Ireland. As far as I recollect, among many others, there are, first of all, the provisions relating to purchase; then those relating to the date of the judicial rent; thirdly, the Emigration Clause; fourthly, the subject of leases, upon which I never spoke as of any large change, but with respect to which there is a recommendation of the Commissioners before the Government not altogether immaterial; and, fifthly, there is the question with respect to labourers, upon which also a recommendation of limited scope has been made by the Commissioners. There may be others; but I believe those are the principal questions. It is, in the judgment of the Government, quite impossible, with the prospects of Business before them, advantageously to attempt to lay any proposition before the House on any of these subjects during the present Session. That being the conclusion at which we have arrived, I took the opportunity of making it known to the House. There remains the transaction of the Public Business of the State, and the secondary Business to which I have already referred—the House will understand what I mean by that. Our course, therefore, will be upon the basis I have described, and after the two Irish Bills now before Parliament shall have become law, to wind up the ordinary Business of the Session, and ask the House to adjourn for a considerable time. Of course, the question we have had to weigh is, whether, considering the views we entertain as to the necessity of settling, if possible, the question of Procedure in the House of Commons—the question we have had to weigh is, whether we could properly, at the end of July or at the beginning of August, ask the House to address itself *de novo* to that complicated and important question? That would hardly, I think, be compatible with the expectation which has justly been entertained that that question should only be treated at a time when Members could attend in large numbers for the purpose of dealing with it. We have, therefore, arrived at the conclusion that, inconvenient as it may be to meet after a long adjournment, it would be less inconvenient and less unsuitable than to ask the House, after the exhausting Business of the year, to take up this question anew immediately at the conclusion of the ordinary Business. We shall probably propose an adjournment to some day in the second half of October. Our plan would then be to ask the House to apply itself to the subject of Procedure, and we shall certainly propose to the House to give precedence daily to the consideration of that question, in the same manner as has been done in the case of several Bills last year and this year. We believe that this will be for the convenience of the House; and it is not our intention, as far as at present formed, unless some important public necessity should arise, to trouble the House during that period with any other subject. At the close of the proceedings of the House in regard to its Rules and methods of action, we should propose that the Session should be wound up by a Prorogation in the usual manner. I have no particulars to state. I do not think the Government are in a position, nor do I think it would be right, so long before the time, to enter into any particulars with respect to the Rules of Procedure. Before we come to the close of the ordinary Business, I may be able to say something on that point; but I have nothing to state on the subject at the present moment.

MR. ARTHUR O'CONNOR asked when the Customs and Inland Revenue Bill and the Indian Budget would be taken?

MR. GLADSTONE replied, that the Arrears of Rent Bill would have to be finished first, and it was doubtful whether it would not be necessary to take Supply immediately afterwards. Due Notice would be given of the Customs and Inland Revenue Bill, and it might be convenient to read it a second time and commit it *pro formâ* that it might be reprinted. All hon. Members but one had withdrawn the Motions that stood in their name on the Order for the second reading of that Bill.

SIR STAFFORD NORTHCOTE: I will not attempt at this moment to enter upon some of the detailed questions which might arise out of the statement we have just heard. We shall be glad, of course, to know what order of Business will be taken after the Arrears of Rent Bill has been disposed of; whether the Customs and Inland Revenue Bill will be the first, and also when Supply will be taken. The possibility of a challenge of the Foreign Policy of the Government would be one which, I understand, we should be entitled to exercise at any moment; and if a challenge were made of that policy, of course the Government would provide a proper means for the discussion of any question that might be raised. At the present moment, however, I do not enter into any question of that kind. With regard to the serious statement which the right hon. Gentleman has made as to an Autumn Session, I think that it would be greatly to the convenience of the House, and would be fair to the House, that we should be told two things. In the first place, we ought to understand whether, by the postponement of these other Irish matters to which reference has been made, it is intended that we shall have another Irish Session after this, and whether we are again to go into all these questions, which will raise points of policy as to important portions of the Land Act. [Mr. GLADSTONE dissented.] I understood the right hon. Gentleman to say that, though there remained these matters to be discussed, he would not attempt them in the present Session. I do not quite understand whether the right hon. Gentleman means by the "present Session" the whole Session of 1882—that is, including the contemplated Autumn Session—or whether he intends that these matters should stand over for discussion till 1883; because it certainly raises a very serious question as to the expediency of proceeding in this manner, in a matter of such importance and of such a burning character, so as to keep it before us by bringing forward measure after measure. There are great considerations to be urged for going on with any Business that relates to Irish affairs before we take up other Business. The other question which I wish to put to the right hon. Gentleman is, whether it would not be more fair to the House that we should have a more complete statement of the intentions of the Government with regard to the Rules of Procedure? It is now a long time since these Rules were under the consideration of the House. Much has happened since the debate upon them was adjourned, and important measures, with reference to which, no doubt, those Rules were considered in advance, have been proceeded with without any alterations of the Rules. There was, moreover, a period at which the Prime Minister himself contemplated a most material alteration in one of the most important of those Rules. That alteration has, however, never been made the subject of discussion in this House; but it is well known to hon. Members that such a suggestion was made some time ago. It would, therefore, be only fair that, before we were asked to make so great a sacrifice of public convenience as is involved in an Autumn Session, we should have some full and clear explanation of the views of the Government on the subject of the Rules of Procedure and the Irish measures which the Government intend to introduce.

Mr. GLADSTONE: I believe I have indicated the intentions of the Government on both the points mentioned by the right hon. Gentleman; but I will endeavour to set the matters before the House more clearly. I meant to convey to the House the opinion that it would be quite reasonable, before the ordinary Business of the Session is wound up, that the Government should be open to any question relating to the Rules of Procedure, or should, if necessary, make a statement on that subject, so that there shall be no doubt, at any rate, as to their principal proposal. With regard to the other Question, I intended simply to say that I did not think it was in our power to legislate upon these important matters, either in amendment of, or in addition to, the Irish Land Act during the present Session of Parliament. The present Session of Parliament includes, of course—in Parliamentary language—both the ordinary Sitting and the supplementary Sitting, which, as far as we are concerned, and as we may be free to act, it is our intention to devote exclusively to Procedure, and not to any of the other important proposals referred to.

Mr. ASHMEAD-BARTLETT: I wish to ask the Prime Minister whether there is any precedent for a Ministry which has suffered a defeat such as that of Friday last, and whose Prime Minister has committed himself to such grave statements as were then made by the right hon. Gentleman, continuing to conduct public affairs without first having a Vote of Confidence in themselves moved and carried in Parliament?

[No answer was given.]

ORDERS OF THE DAY.

ARREARS OF RENT (IRELAND) (*re-committed*) BILL.—[BILL 213.]

(*Mr. Gladstone, Mr. Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 6th July.*]

[FIRST NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

SETTLEMENT OF ARREARS OF RENT.

Clause 1 (Settlement by Land Commission of arrears of rent).

MR. TOTTENHAM moved, in page 1, line 7, after "holding," insert, "or two or more holdings held by the same tenant." He said he believed it would not be necessary to press his Amendment.

MR. GLADSTONE said, there could be no doubt that the clause as it stood would apply to two or more holdings as well as to a single holding.

MR. TOTTENHAM said, after that assurance from the Prime Minister he should be satisfied, and would not press the Amendment.

Amendment proposed, in page 1, line 7, after the word "holding," to insert the words, "or two or more holdings held by the same tenant."—(*Mr. Tottenham.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that that was the intention of the Bill, except in cases which were explained subsequently.

MR. HEALY said, he entertained a very strong objection to the acceptance of the Amendment. It frequently happened that a tenant had a holding under £30 valuation, which would bring him within the meaning of the clause; and it was only reasonable where a tenant had two holdings, one of which was in the character of a house and not of an agricultural holding, that he should be enabled to come within the terms of the Act. It would be too bad to cut off a tenant from the benefit of the provisions of the Bill under such circumstances; and he would ask the Attorney General for Ireland whether, in his view, if a tenant had a holding that was not of an agricultural character, say a house in Dublin or anywhere else, or a tenement such as a house or stable, it was intended, if that brought him above the value mentioned in the clause, he should not be entitled to the benefit of the Act? He thought it would be an exceedingly inconvenient thing for the Government to accept an Amendment of this character, and therefore he would ask the Irish Law Officers if it was intended to provide that the second and subsidiary holding should be also of an agricultural character, and not merely a holding of which the man was tenant?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that was the intention of the clause.

Amendment, by leave, *withdrawn.*

MR. TOTTENHAM moved, in page 1, line 10, to leave out "thirty," and insert "fifteen." He said the object of the Amendment was to reduce the value of the holdings which would come within the operation of the clause from £30 to £15. He had taken that sum of £15 from the limit at which it was proposed to put the relief under the Seeds Act of 1880. Under that Act it was considered that a valuation of £15 was sufficiently high, and, that being so, he did not see why the same limit should not be observed in this case. He could not find that any Member of the Government who were then in Opposition joined in the discussion, either upon the second reading of that Bill, or in Committee upon it; and he, therefore, took it that they gave a silent assent to that being a proper limit. If it was considered necessary in 1880, after a succession of bad harvests, to put a limit of £15 upon the value of the holdings to be entitled to relief, he thought it was even more necessary to retain that limit in the present case after two of the best harvests which had been obtained in Ireland for many years. Under those circumstances, he thought the Committee could not do better than adopt the limit fixed by the Seeds Act of 1880.

Amendment proposed, in page 1, line 10, to leave out the word "thirty," and insert the word "fifteen."—(*Mr. Tottenham.*)

Question proposed, "That the word 'thirty' stand part of the Clause."

MR. GLADSTONE said, there had been a considerable difference of opinion expressed as to the limit of the operation of the clause, and as to whether the limit of £30 which the Government had chosen was on the whole the best. He was, therefore, not surprised at the objection raised by the hon. Member opposite (Mr. Tottenham), and it would be very difficult to define any strict principle upon which Parliament should act. At the same time, he did not think that the question involved came under the precedent cited by the hon. Member. The object of the Relief Act, to which the hon. Member referred, was purely an eleemosynary one, being nothing in the world but a gift of money for the relief of certain persons. Now, this gift was by no means an eleemosynary proceeding, but was more in the nature of an act of policy. In his opinion, it would be a very great boon to many landlords in Ireland as well as to the tenants; and he did not intend, therefore, to view it as an eleemosynary gift, and, consequently, he could not accept the proposal of the hon. Gentleman. The precedent pointed out by the hon. Gentleman in the Act of 1880 did not apply, and he was reminded by his hon. and learned Friend the Attorney General that there was a precedent which was more applicable in the Act of 1881. They had taken the same limit as that inserted in the Act of 1881, because they considered it as the most fair to be taken as the standard in the present Bill. The whole matter of interference with arrears by means of public funds was a most grave and serious one. Many objections might be urged to it, and it was only commanding considerations that could overrule those objections. It was one of those things which, if they were to do it at all, they had better do not only equitably, but effectually, so as to remove the whole evil out of the way. He could not, therefore, accept the Amendment of the hon. Member.

Mr. P. MARTIN pointed out that a great number of tenants would be excluded by keeping the limit to £30, and he was glad to hear that the Government were prepared to reject any attempt to reduce it to £15. Many tenants would feel a well-founded discontent when, in consequence of the limit adopted, they were deprived of all assistance. The distress and want of means of too many of those above the £30 limit were facts well known to all resident in Ireland. If it was determined not to extend the principle of gift, why should not loans on easy terms be granted to the excluded tenants? He trusted for some favourable expression of intention in this direction from the Government.

Mr. GLADSTONE remarked that, although the Government had been in some doubt as to selecting a hard and exact figure, he was bound to say that they could not accede to any proposal for extending the principle of gift by an alteration upwards. He thought that would be a very great objection indeed. They had preferred to take their own precedent afforded by the Act of last year, and he could not accede to any policy of extending it upwards. At the same time, in regard to loans, it was a question to be considered whether the machinery of the Act of last year might not be made applicable to a higher assessment.

Mr. MITCHELL HENRY said, that was exactly the point upon which he had been about to make an observation; but it was unnecessary now that he should trouble the Committee, seeing that the right hon. Gentleman had indicated that the question of granting loans to tenants upon higher assessments would be favourably considered.

Mr. J. LOWTHER said, he thought it would be an advantage for the Committee to be made acquainted, without loss of time, with the views of the Government on the important points which had been referred to by the right hon. Gentleman. He understood the right hon. Gentleman to say that there might be a further demand upon the Exchequer in respect of loans in addition to the probable demand upon the Public Exchequer involved in the proposal now before the Committee. He understood the right hon. Gentleman to say that the Government were prepared to consider a further demand in respect of loans with regard to holdings exceeding the limit laid down by the Bill. He took that to be the statement of the right hon. Gentleman, who would correct him if he were wrong. He thought the Committee was scarcely in a condition to consider and discuss the Bill as it stood now, unless they were made aware of what the ultimate demands on the National Exchequer would be. He therefore hoped the right hon. Gentleman would avail himself of the earliest opportunity of stating the intentions of the Government in that respect, so that the taxpayers of the country might clearly understand whether they were hereafter to be called upon to advance money under the colourable designation of a loan in addition to a gift. If that were so, the sooner they were informed of the fact the better.

Mr. M'COAN would ask the right hon. Gentleman to suspend his judgment on the point, and to hold his answer over for the present, seeing that he (Mr. M'Coan) had an Amendment further on which distinctly raised the question. He proposed to ask the Government to lend money to tenants whose holdings were valued at between £30 and £50 upon a small scale of interest.

COLONEL BARNE, as a Representative of English taxpayers, expressed his regret that the Prime Minister would not accept the Amendment. The English taxpayers would be called upon to put their hands into their pockets in order to pay this gift; and if the limit were placed at £15, instead of £30, they would be required to put their hands less into their pockets than they would be under the clause as it stood. It was quite evident that a farmer paying £30 a-year must be farming a considerable number of acres. They all knew it took £10 an acre, at least, for the farmer to stock the land, and, therefore, a man paying £30 a-year must be the possessor of at least £300; and he did not think a man who had £300 ought to receive assistance from the English taxpayers. He was, therefore, sorry that the right hon. Gentleman had not accepted the Amendment.

Question put, and *agreed to.*

MR. SYNAN said, that in the absence of his hon. Friend the Member for Limerick (Mr. O'Sullivan) he would move the Amendment which stood in his hon. Friend's name, and which proposed, after "year," to insert—

> "Or, in case it can be proved to the satisfaction of the Irish Land Commission that a holding valued over thirty pounds has been held, at the time of the passing of this Bill, by two or more tenants, whose separate portions are under the said value of thirty pounds, though not separately valued in the rate book."

The object of the Amendment was to provide that a holding of upwards of £30 in value which for some years might have been in the hands of two or more tenants, instead of one single tenant, should be entitled to be regarded as a separate tenancy. Each separate tenancy of less value than £30 would be entitled to the benefit of the clause, and this proposal was to the effect that where such a separate tenancy should have been divided into two holdings, and to all intents and purposes was one holding, but owing to negligence had not a separate value given to it, it should come within the meaning of the Act. Unless the Act was made to apply to such tenancies, a great injustice would be done, because in most cases the default would only have arisen from negligence or omission. The Commissioners would be able to inquire into all such cases, and see whether they were *bonâ fide* holdings or not. He hoped Her Majesty's Government would accept the Amendment, seeing that the Commissioners would have a complete control of the case, and would not put any tenancy down as a holding unless they believed it actually to be one.

Amendment proposed,

> In page 1, line 10, after the word "year," to insert the words "or, in case it can be proved to the satisfaction of the Irish Land Commission that a holding valued over thirty pounds has been held, at the time of the passing of this Bill, by two or more tenants, whose separate portions are under the said value of thirty pounds, though not separately valued in the rate book."—(*Mr. Synan.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it was impossible for the Government to accept the Amendment, and for this reason. The Amendment contemplated holdings over the value of £30, and, therefore, would include any holdings of whatever amount, very many of which were without the scope of the Bill. In point of fact, the Amendment as it stood would apply to holdings of an undefined value, and there was no reason why a holding of £1,000 should not be brought under the Bill.

MR. SYNAN said, the right hon. and learned Gentleman had misconstrued the Amendment.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) remarked that the terms of the Amendment were these—

> "In case it can be proved to the satisfaction of the Irish Land Commission that a holding valued over thirty pounds has been held, at the time of the passing of this Bill, by two or more tenants, whose separate portions are under the said value of thirty pounds, though not separately valued in the rate book."

It was impossible for a moment to accept an Amendment of that kind, as they had already provided that the holdings dealt with should not be above the value of £30. If two tenants held a holding between them which was not valued at over £30, then both of those tenants would constitute one tenant, and would be entitled to relief under the Act if the holding were sub-divided.

Mr. GIVAN approved of the Amendment. It might so happen that a farmer, having two sons, had sub-divided his farm in equal proportions. They would hold under the father's title, or some other title, and yet the landlord might never have recognized the severance of the holding. The consequence of that omission would be to make it one holding, although the two tenants would be holding the land for all purposes in severalty. And so it might continue for several years, although the tenants might have adverse interests and adverse titles. Nevertheless, to all intents, the landlord might treat it as only one holding. Therefore, he thought the clause ought to be applied to a case of that kind, and that no matter whether the holding was held as one holding, if it were practically divided between two or more tenants, and each of those tenants farmed a holding of less than £30 in value, he should have the benefit of the Bill. He believed the effect of the clause as it stood would undoubtedly be to exclude from the benefit of the Act a considerable number of tenants to whom it ought to apply, and he therefore trusted that the Amendment, or some similar Amendment, would be accepted by the Government. He wished to remind the Government that the same principle was already applied to the franchise.

Mr. HEALY said, he thought the Attorney General for Ireland had forgotten the fact that the Commission would have ample means of ascertaining what the nature of the holding was. Personally, he could not understand upon what grounds the right hon. and learned Gentleman based his objection to the Amendment. No matter whether the holding was held by one ground landlord or not, two persons might have worked it for 30 years separately, and have paid the rent separately, and on account of some *laches*, not of their own, but of somebody else, they were to be shut out from the benefit of the Act. It might be that the fault rested entirely on the part of the poor rate collector. As the hon. Member for Monaghan (Mr. Givan) truly pointed out, for the purpose of the franchise the law recognized the right of these people to separate votes. He ventured to think that the right hon. and learned Attorney General for Ireland had not seriously considered the point, and, if so, he trusted the right hon. and learned Gentleman would give a distinct assurance to the Committee that he would do so before the Report stage of the Bill was reached, and that he would be prepared to make some proposal in the matter. The right hon. and learned Gentleman must know that the will of the tenant was not always executed; and, that being so, because there had been some technical default or other, it would be unfair to shut out two men from the benefit of the Act. He hoped the Government would make a concession upon the point.

Mr. MOORE said, he thought the Attorney General for Ireland hardly understood the real nature of the case. It was a common thing in Ireland for two farmers to live side by side on two farms which were practically co-terminous; but the holding had nevertheless been divided, owing to the easy-going agreement under which it was held, or, perhaps, from a disinclination on the part of the landlord to acknowledge a sub-division. The result was that each part, being under £30 value, ought to be separately valued; and they were actually held by the very class of persons for whose benefit the Government had brought in the Bill. This was a very common occurrence in Ireland, and he thought it desirable to make some provision for it in the Bill.

Mr. CHILDERS said, he believed there were two distinct classes of cases which would come within the words of the Amendment. One of them was the cases in which the sub-division had been made with the consent of the landlord, and the other was the cases in which it was unauthorized. He was prepared substantially to accept the Amendment if those cases were excluded in which the sub-division had been unauthorized by the landlord. There must be two or more distinct holdings, although they might not be separated in the rate-book. The words of the Amendment were not satisfactory; but on the Report he would bring up a clause to give effect to the intentions of the hon. Gentleman.

Mr. W. H. SMITH understood the right hon. Gentleman to state that the Government was prepared to accept the principle of this provision in cases in which the landlord and tenant agreed to a sub-division.

MR. CHILDERS: In cases in which they have agreed.

MR. W. H. SMITH understood the right hon. Gentleman to say in cases in which the landlord and tenant had agreed that the holding, though actually one, had been virtually divided into two. Was that the meaning of the right hon. Gentleman? [Mr. CHILDERS assented.] That would clearly open the Bill to a larger number of cases than that to which it was now confined.

MR. CHILDERS wished to point out that it would not apply to cases in which the landlord and tenant might hereafter agree, but only to cases in which they had already agreed.

MR. HEALY: And where the rent has been paid separately?

MR. CHILDERS: Yes; where the rent has hitherto been paid by two persons.

MR. J. LOWTHER said, it would not be necessary for the right hon. Gentleman to go into recent history, or he would find it difficult to draw up a list in which the rent had been paid at all. He thought he had noticed in the remarks of the right hon. Gentleman some confusion between sub-division and joint tenancies. The right hon. Gentleman talked of the sub-division which it was the policy of the State to discourage. Of course, a sub-division was hardly involved in the Amendment. The Amendment spoke rather of joint tenants, although it did not specify that in distinct terms. It rather spoke of the same holding, and not of a sub-division of a holding which might be sub-divided, as was constantly the case unfortunately in Ireland, and two or more persons had a distinct portion of one holding divided between them. He thought the Amendment pointed to a case of that kind, and he would ask the right hon. Gentleman how he was to find out what number of tenants there had been upon a holding, or how many persons were legally liable to pay the rent? He thought the Committee ought to understand, before they adopted the suggestion of the Government, whether the right hon. Gentleman meant by two or more persons, persons severally responsible to the landlord for their rent. Of course, if that was meant, then it would be a much smaller matter than if the suggestion were taken in a more general sense.

MR. CHILDERS said, he had already intimated that the words of the Amendment were not satisfactory, and that on the Report he would bring up a clause to give effect to the intentions of the hon. Member for Limerick County (Mr. Synan).

MR. SYNAN said, that if the right hon. Member for North Lincolnshire (Mr. J. Lowther) had listened to his observations, he would have found what the Amendment really meant. Although the Amendment was a general Amendment, he had confined his observations to cases where the holding, which was substantially a separate holding, had by reason of an omission not been separately valued.

MR. PARNELL remarked, that, before the Amendment was withdrawn, he should like to draw the attention of the Government to an important question which might be raised in the working of the Bill, and which was referred to in an Amendment standing higher up on the Paper in the name of the hon. Member for Leitrim (Mr. Tottenham). It happened frequently in Ireland that a tenant held one separate holding, and was a joint tenant for commonage. He wished to know if the Government were not of opinion that by the adoption of the Amendment which stood in the name of the hon. Member for Leitrim, two or more holdings held by the same tenant would not apply to separate holdings of this character, and so rule a tenant out of the Bill on the ground that he held a farm of a larger value than £30 a-year, although the holding of a larger value was held in common with other tenants? He trusted that the right hon. Gentleman would deem it necessary to make some observation upon that point before the Bill reached the Report stage, or otherwise there might be a large number of small tenants with holdings under £30 in value, who would be exempted from the operation of the Act owing to holding a grazing tract exceeding that value in common with other tenants.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that question would not arise. The grazing right of a tenant would not be valued at all.

Mr. GIVAN asked if the right hon. and learned Gentleman would consider whether the particular tenants referred to by the hon. Member for the City of Cork (Mr. Parnell) might not be valued for a dwelling which they might hold in common with 20 other tenants?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he did not think that a case of that kind could occur; but he would consider the matter before the Report. A tenant's commonable right would not be valued.

Sir WALTER B. BARTTELOT said, he wished to have the case distinctly cleared up. He understood the hon. Member for the City of Cork (Mr. Parnell) in a totally different sense from that which appeared to be understood by the Attorney General for Ireland. As he understood the hon. Member for the City of Cork, he desired to know whether a tenant, having a house and farm valued at £8 or £10, but also possessing rights over a tract of grazing land rated at a much more considerable sum, bringing him up higher than £30 in value, would still be included within the provisions of the Bill? He (Sir Walter B. Barttelot) wanted to know if the two holdings together were to be counted, or whether the tenant who had grazing rights elsewhere, for which he paid a considerable sum, was to be allowed to come under the Bill, because he was in possession of a house and land, separated from the grazing rights, the value of which was only £10?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, that if he was tenant of two holdings valued at £30, he would not come within the scope of the Clause. He did not think that he had in any respect misunderstood the hon. Member for the City of Cork.

The CHAIRMAN: Do I understand that the hon. Member for Limerick withdraws the Amendment?

Mr. SYNAN: Yes.

Amendment, by leave, *withdrawn.*

Dr. LYONS said, there was one subject which had been mooted by the Prime Minister, and upon which he desired to move an Amendment. The right hon. Gentleman spoke, as far as loans were concerned, of tenancies of a higher value than £30.

The CHAIRMAN asked where that came in?

Mr. SYNAN remarked that there was not a word of the kind in the Bill at all.

Dr. LYONS said, he only wished, in conformity with what he had himself so long contended for, and with what the Prime Minister now assented to, to raise the question of the principle of "loan" in addition to that of "gift," and to introduce an Amendment dealing with cases of loan.

The CHAIRMAN certainly could not see where such an Amendment would come in the particular part of the Bill they were now discussing.

Dr. LYONS said, it would come in, because they were now disposing of the question of fixing a limit of £30 value in reference to the operation of "gift;" and he proposed to move an Amendment, after the words "thirty pounds a-year," to introduce the principle of "loan" to tenants above that limit.

Viscount FOLKESTONE rose to Order. He wished to know if the hon. Member (Dr. Lyons) was in Order in moving an Amendment before the withdrawal of the Amendment now under discussion?

The CHAIRMAN said, the Amendment had already been withdrawn.

Dr. LYONS said, he would move to insert, after the words "thirty pounds a-year," the words—

> "That the principle of a loan, repayable at five per cent for a term of thirty-five years, be applied to the case of all tenants above the limit of thirty pounds' valuation."

They were now limiting the clause to tenants of £30 a-year, and he wanted to bring in loans to tenants above £30 a-year, so that they might be similarly dealt with.

Dr. LYONS (after conference with the Chairman) agreed to the insertion of his Amendment at the end of line 2, page 2.

The CHAIRMAN said, it would be better for the hon. Member to move the Amendment on the 2nd clause. It was quite possible to move it now; but it would come in better in the place he suggested.

Mr. D. GRANT moved, in page 1, line 10, after "thirty pounds a-year," leave out to end of line 2, page 2, and insert—

> "On and after the passing of this Act, no process of eviction or other proceeding in law

or equity shall be valid that has reference to any arrears of rent prior to the year one thousand eight hundred and eighty-one, until such holding has had a fair rent fixed for the statutory term, either by mutual agreement between the landlord and tenant or by a judicial decision of the Land Court. When such fair rent has been fixed all arrears of rent prior to the year one thousand eight hundred and eighty-one shall then and there be settled, either by mutual agreement between landlord and tenant or by the decision of the Land Court, such arrears to be divided into equal half-yearly payments extending over the whole statutory term, and to be added to and form a portion of the future rent of the holding."

The hon. Member said that his object in moving the Amendment was to put the clause in conformity with the intentions of the Bill. They had in Ireland a large number of tenants who had holdings of less than £10 a-year, and it might be fairly considered that a very large number of those tenants would come under the operation of the Act.

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. TREVELYAN said, the Amendment was altogether contrary to the spirit of the Bill, and would, in fact, constitute a new Bill, and a very important Bill indeed, laying down entirely new matter. The hon. Gentleman said that his Amendment would get rid of the objections to the Bill. It certainly would get rid of the objections to the Bill by the simple process of getting rid of the Bill itself. The Amendment was, therefore, a very serious one, and one which it was impossible for the Government to accept. The hon. Member proposed—

> "That on and after the passing of this Act, no process of eviction or other proceeding in law or equity shall be valid that has reference to any arrears of rent prior to the year one thousand eight hundred and eighty-one, until such holding has had a fair rent fixed for the statutory term."

The Land Act, on the contrary, distinctly recognized the obligation of the tenant to pay the old rent until a fair rent was fixed, and to pay all the obligations which the old rent involved. Obviously, if a tenant were not bound to pay any rent until a fair rent was fixed, he would have very little motive to expedite the proceedings of the Land Court. But the Amendment was so drawn that it was not limited to cases in which an application to fix a fair rent had been made; but the landlord must actually wait until the Court had fixed a judicial rent before he would be in a condition to recover any rent at all. The second part of the Amendment was equally objectionable in principle, and fell greatly short of the requirements of the case. It enacted—

> "That all arrears of rent prior to the year one thousand eight hundred and eighty-one shall then and there be settled, either by mutual agreement between landlord and tenant or by the decision of the Land Court, such arrears to be divided into equal half-yearly payments extending over the whole statutory term, and to be added to and form a portion of the future rent of the holding."

The Bill proposed that the arrears of rent should be dealt with on an entirely different principle, and in what he ventured to regard as a much preferable manner. He did not think the Amendment would recommend itself to hon. Members on the other side of the House, and he trusted that the hon. Member would not press it.

MR. T. P. O'CONNOR said, the right hon. Gentleman the Chief Secretary had a very easy task in demolishing the Amendment of the hon. Gentleman, especially in regard to the second part of it, and the work which it professed to do. But the first part of the Amendment raised an important question, and he thought the right hon. Gentleman would do a great deal towards satisfying the people of Ireland, and in producing tranquillity, if he would state whether the Government were ready to introduce into the Bill some clause to provide proper safeguards against evictions.

COLONEL NOLAN pointed out that the Amendment in its present shape would virtually omit the whole of the Bill. It would completely destroy the landlord and very much injure the tenant. The Committee would then have the melancholy satisfaction of knowing that both were in the same boat. The question raised by the Amendment, if it were accepted, would disturb the whole of Ireland and would continue to be in operation for ever. He certainly thought the Amendment ought to be at once withdrawn, if the object of the hon. Member who proposed it was to benefit the tenants. It would certainly be most injurious to the tenants in small and poor districts, and particularly to his (Colonel Nolan's) constituents.

MR. GIBSON said, he should not have spoken upon this Amendment were it not that a point had been referred to in connection with it about which it was necessary that there should be an absolutely clear understanding. He pointed out that the Bill did not in the slightest degree propose to affect the landlord's right of eviction, except by the indirect method of paying off arrears. That was the statement very naturally made by the Prime Minister when the Bill was introduced to the House.

Mr. D. GRANT said, he rarely occupied the time of the House, and only when some point was brought forward worthy of discussion. He thought the question raised by the Amendment was large enough and plain enough to awaken a greater interest in the minds of the Committee than was at present felt in it. It would assuredly present itself again at a time when it would have to be looked at in a better light by hon. Gentlemen opposite. He was willing to withdraw the Amendment, and leave the matter to be dealt with at a future time upon its own merits.

Amendment, by leave, *withdrawn.*

Sir STAFFORD NORTHCOTE: Sir, the Amendment which I have to move touches one of the main principles on which the Government are proceeding in this matter, because it is to make the commencement of the process involved in this Bill dependent on an agreement being made between the landlord and the tenant. Now, the professed object of the measure is to give a fair start, as I understand it, to the Land Act of 1881. I understand the position of the Government to be that by the Act of last Session a certain Code of Land Laws has been laid down for Ireland, and that in future these may be expected to prove satisfactory, and to furnish the proper relations that should exist between the landlords and tenants. But I also understand that the Government consider it is necessary with a view to the arrears which have accumulated in the past to make some arrangements, and in that way to get rid of a difficulty which, as they say, prevents the fair working of the Act of last Session. Now, it seems to me that although it is a very important thing that as quickly as possible some arrangement should be come to with regard to the outstanding questions of the whole of the arrears, yet the method which is proposed by Her Majesty's Government is one more likely to disturb friendly relations between landlord and tenant than to promote them. After all, any arrangement between the two principal parties concerned in this matter under any system of Land Laws which does not entirely abolish landlordism—and I do not understand that the Government are prepared to go the length of doing away with that portion of our system—ought, if possible, to rest upon good feeling; and it seems to me that it would be most undesirable that we should, by violent and dictatorial legislation, do what I believe this Bill will do—namely, disturb and prevent the continuance of those friendly relations. As far as I can make out, the landlords and tenants are, in a great number of cases, endeavouring to accommodate themselves to the new law, and according to the statements we hear from the Government, and from the right hon. Gentleman the Chief Secretary especially, we are led to believe that in many cases arrangements have been made, are in process of being made, or were in process of being made, between the landlords and tenants until this Bill was introduced. But, undoubtedly, when, by the introduction of this Bill, expectations were held out to the tenantry that they would be able to obtain for themselves something very much more to their advantage than they could get by private arrangement with their landlords, a very great check was given to arrangements which seemed to be in process of fair and satisfactory settlement. Now, Sir, many of us have friends in Ireland whose cases may furnish instances of the correctness of that view. I myself have a friend who has property in the West of Ireland of some £7,000 a-year. This gentleman, after much trouble and negotiation, had arrived at what seemed to be a perfectly fair understanding with his tenants. Arrangements had been made with regard to arrears and future rents upon terms very liberal to the tenants. But all of a sudden the introduction of the Arrears Bill gave things a new turn, and my friend received communications from his tenants very civilly but, at the same time, very clearly worded, to the effect that they saw there was going to be a new arrangement; that the Government were going to sweep off arrears by paying some portion of them for the tenants, and that, therefore, they must be off the bargain which they had made. I ask what is the effect of that kind of disarrangement of what was going on in Ireland? In the first place, it destroys altogether the hope of a satisfactory settlement in a great many cases, and in a great many others, if it does not actually destroy the hope of settlement, it puts off all chance of such settlement for a very considerable period, and it seems to me that speed in the present state of Ireland is really of the essence of any arrangement which should be made. It would be better for the prosperity of the Irish tenantry that you should be able in the course of 1882 to come to an inferior settlement than that you should have to put the matter to the year 1883, or, perhaps, 1884 and 1885, for the purpose of arriving at something which on paper might appear to be very satisfactory. Because all the time these things are going on, you must bear in mind that there is in existence an organization directed to the disturbance of the peace of Ireland, which catches hold of every possible opportunity and avails itself of every conceivable opening for increasing disturbance and preventing the reconciliation of classes. It is, therefore, most dangerous to keep questions of a burning character, such as the adjustment of rents, open longer than is absolutely necessary. This, then, is one reason why I am pressing upon the attention of the Government and of the Committee an alteration at the base of this Bill. If you wish to avail yourselves of the chances, and what are more than the chances, in favour of private settlement between landlord and tenant, I say you must allow ample elbow-room, and you must facilitate every arrangement to be made between them. Well, but then, if that is to be done, you must necessarily change the basis of the Bill on which you are now about to proceed. We were told by the right hon. Gentleman the Prime Minister some time ago that we had to chose between two alternative processes. Either we must have the process of gift, in which case, he said, our Act must be compulsory; or we must have the process of loan, in which case our Act must be voluntary. I suppose, as the right hon. Gentleman says so, that must be true; but I confess I have never been able to master the argument on which that distinction is based. It seems to me possible to have either a voluntary gift or a compulsory loan—however, I will not enter into that question at the present moment. Whether what you propose should be voluntary or compulsory, I look upon it that you have to consider the question as opened by the Government; and I bear in mind, although I will not trouble the Committee by repeating the exact words, what was quoted the other night in the course of the discussion upon the Motion of the Speaker leaving the Chair—that last year the Government laid down in the most emphatic manner the proposition that any settlement based upon the compulsory arrangement of arrears would be demoralizing and objectionable. I do not see, if that mode of arrangement were demoralizing in 1881, why it should not also be demoralizing in 1882; I should imagine that the truth of the proposition did not depend upon the date at which it was put forward. At any rate, it was an axiom on principle firmly fixed on the minds of the Government last year, and I can hardly imagine that they have got rid of it at the present time.

MR. GLADSTONE: I did not say that compulsory settlement of arrears was demoralizing.

SIR STAFFORD NORTHCOTE: Does the right hon. Gentleman mean that he did not consider it demoralizing last year, or that he does not consider it demoralizing this year? Well, the right hon. Gentleman says he did not consider that it was; but the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), who was then Chief Secretary, said that it was demoralizing in very emphatic language, and he was the Minister who was responsible for introducing the Bill of last year. I am in the recollection of hon. Members, and, according to my own recollection, the right hon. Gentleman the then Chief Secretary to the Lord Lieutenant was, at all events, one of the Members of the Government who introduced the Bill of last year for the amendment of the Irish Land Law. That Bill contained a clause subsequently introduced for the purpose of dealing with arrears, and objection was taken to the mode of settlement proposed. Although we have some reason to believe we were in error, we always supposed that the Government were harmonious and united; but certainly we thought the late Chief Secretary was speaking in the name of the Government when he introduced and defended the clause I have referred to. At all events, he did it in the presence of the Prime Minister and his Colleagues, and they did not get up and rebuke him. That being the case, I think I was justified in saying, if there is any meaning in language, that the Government have called upon us to adopt a principle which last year they declared to be demoralizing. I believe a large proportion of Members of the House will so understand it, and certainly a considerable number of persons in the country. But if we are to have this Bill passed in its present shape —if we are to carry this measure with the compulsory character which it bears, and a settlement is made under it, I venture to say that such settlement will leave a grievance behind it. By that settlement you will leave a sense of wrong on the part of at least two of the three parties concerned—the landlord, who finds himself unjustly deprived of what he considers to be his right, and what in many cases would have been admitted even by his tenants to be his right; and the honest tenant who has paid his rent, and whose wrongs, I think, are not sometimes sufficiently acknowledged in this House. Then there is the tenant with whom no settlement has been made, but who is enabled to take advantage of the provisions of this Bill. You must leave in the mind of that man a sense of soreness or injustice. But I say you will do something worse than that. You will have demoralized him by leading him to believe that he has nothing to look to but agitation in order to get the fulfilment of his desires; he will have been taught that, although he has gained something now, if he wishes to get more it will be open to him to do so by the same means as have been hitherto employed. The Act of 1870 was not final; the Act of 1881 was not final; and to the tenant I am now speaking of the Act of 1882 will also not be final. There will be no idea of finality in his mind; he will believe he has nothing to do but to agitate sufficiently, and that then he will be pretty sure to get some further concession made. Let me ask the Government to consider what, besides the inconvenience of the length of time these things will remain open, is the inconvenience to the status of landlord and tenant. I confess I have not been able thoroughly to understand what that status will be; but so far as I am able to comprehend what has been told us, I imagine for some considerable time—that is until the date at which a further settlement can be made between any particular landlord and his tenants —the relations between the landlord and the tenant at present existing will remain undisturbed. Now, we ought to have some full and clear explanation on that point, because if you are to have a considerable length of time during which landlords and tenants are to remain on the same footing as they are on now, with the knowledge that at the end of that time a totally different state of affairs is to come about, and that the landlord is to accept considerably less than he believes to be his due, you will undoubtedly be keeping up a soreness, and you will place before the landlord a strong temptation to exercise his power of eviction, and the other rights which he has, before that time comes. I do not profess to have gone into any minute calculation as to the time which will be occupied in the settlement of this question. Undoubtedly, if we are to go into a careful examination of all the statistics bearing upon it, and especially into that difficult question as to the inability of the tenant to pay his arrears, a great deal of time must be spent, and it will be impossible in most cases that a settlement can be arrived at in the Court proposed by this Bill. I want to know if, during that time the relations between landlord and tenant are to continue as at present established, whether we shall not be exposed to after irritation, which is the thing you want to avoid, and whether we shall not be deprived of the present chance that, if you will only let matters alone, there will be a peaceful arrangement between the two parties? Surely hon. Members must see that an arrangement arrived at by something in the nature of give and take on both sides—reasonable concession on one, and reasonable pretensions on the other—is far more satisfactory than a violent and authoritative settlement coming from the Government. At any rate, the opportunities of challenging such settlements would be fewer than the opportunities of challenging settlements made under the authority of the Government, because it would be felt that the Government legislation was not final, and the tenants would in consequence be always agitating. I have said this much with regard to the advantage which voluntary settlement appears to me to possess over compulsory settlement. I also wish to add a word or two with regard to the effect which the change I propose would have on the working of the Bill. I say it would be of great advantage to the working of the Bill if you were to adopt this principle. In the first place, there is the question with regard to the inability of the tenant to pay, which everybody admits will be a most difficult one to settle. It is admitted, too, on all hands, that it will be almost impossible for the body of Commissioners, the Court, or whatever machinery you employ, satisfactorily to settle the question whether a particular tenant was or was not at a particular time capable of paying his rent. That was mentioned the other day in the course of the debate upon the second reading of the Bill, when it was said on behalf of the Government—"Oh; in this question you will have the advantage of the experience of the landlord, who will be able to give you material assistance in deciding the question from his knowledge of the tenant's circumstances." Well, I do not think that the landlord, under the circumstances proposed, is particularly likely to give you that assistance. But, assuredly, if you make the matter one of a voluntary character, a great deal of relief in the sense just referred to will be given in the demands upon the public time by the information afforded by the landlord, who will of necessity know so much more of the circumstances of the tenant than can possibly be known by the Court. The landlord, speaking as one who knows the circumstances of the tenant, may say—"It is impossible for me to assent to any such settlement as this;" and he may propose another mode of settlement satisfactory to both parties, and which will be more advantageous to himself, the tenant, and the public. That, I think, is a consideration which ought to weigh, and I think it is one in favour of voluntary instead of compulsory settlement. I need hardly point out that if that should be the working of the Bill, it would be of great advantage, not only in the saving of time, but in the saving of money which would otherwise be demanded from the State. You will still retain your power to examine into the tenant's inability to pay; and, as I have already pointed out, you will be assisted by the landlord in the preliminary inquiry to be made. Now, this is what I think we may say with regard to the effect of the change I am asking you to make upon the working of the Bill before us. But I wish to express my belief that this Bill, whether it works for good or evil, will, after all, be but a measure which deals with a fragment of the subject. It certainly does not deal with some of the more important remedies which ought to be applied, and which I hope in due time will be applied, to admitted evils. This Bill, I say, deals with the symptoms and not with the disease. Measures referred to in the earlier part of the evening, and which were passed over with some little carelessness, I think, will undoubtedly have to be brought forward again, and other questions will have to be hereafter discussed which will be in the nature of more serious remedies than this Bill offers for the secular difficulties and sufferings of Ireland. I say, in passing this Bill, you run great risk of setting aside, and actually impeding, the operation of more important measures; and I believe, by what you are proposing to do, you will render it still more difficult hereafter to introduce such measures as are desirable for the benefit of Ireland. I speak, for instance, of the dilemma which exists as to the poor districts in Ireland. It is well known that there are districts in which the condition of the people is one of absolute misery, caused not by inability to pay rent, but by the impossibility of their large populations raising from the soil sufficient for their own maintenance. Everyone admits that these cases ought to be dealt with in a different manner to that which you propose—that the mere remission of the arrears of rent, leaving the populations referred to under the weight of all their other incumbrances, would be insufficient, because it would leave them still fastened to the soil. Again, the Church Surplus Fund, which you are going to draw upon, and which some day, I presume, you yourselves will admit you have exhausted—that money might have been spent, and would otherwise be spent, in a much more profitable way. I repeat that, if you will allow those who ought to and do take an interest in the condition of their estates, and the farmers who are dependent upon them, to agree with the latter in the manner indicated by my Amendment, you will be doing more good than by forcing them to adopt the manner of settlement you propose with reference to their just interests as owners of the soil. A great deal more good might have been done if, instead of forcing the payment of arrears, you had introduced the voluntary element. That is a wholly different proposal from that contained in the Purchase Clauses. An advance by way of loan would have placed the tenants in a very different position; and it would have worked out in quite a different way from the principles which are involved in this Bill. But I cannot anticipate questions of this sort. I only refer to the point for the purpose of showing that you, by your legislation, are preventing and cutting away the ground from the proposal which ought to be made, and might be made, and properly discussed, in connection with the difficulties of Ireland. I, for one, entirely object to this piecemeal method of legislation, as I shall say at the proper time. But as we have to deal with it now, I am anxious that it should be on a basis that will not exclude the possibility of dealing with more rational and more promising measures, and measures more suitable to the condition of the country. After all, look at these districts. Some of them are of a character which cannot support the persons placed on them. The only way to make them do so is by the expenditure of a liberal amount of capital. But what you are doing destroys the chance of capital being introduced. You are driving away capital from the country by your measures for the compulsory confiscation of the rights of the landlord; and, on the other hand, you are fixing the tenant to the soil by the nature of the assistance you are giving him. It may last for a time. You may enable him to go on for a time; but your assistance will be of no advantage to him when the time comes, which is certain to come, when he will have the disadvantage of bad seasons. I would apologize to the Committee for having gone at some length into this question. It is one of the greatest importance, and involves one of the principles on which this measure rests, and, as far as we have the means of judging, it is not a principle at all essential to the Bill. The Government themselves did not introduce their measure last year on the principle of compulsion. On the contrary, they repudiated the principle of compulsion. This year, when the measure was introduced by the hon. Member who sits below the Gangway on this side of the House (Mr. Redmond), they declared that they would give it their consideration, but without pledging themselves to one principle or the other. They took notice of the gravamen of the principle to be drawn between loan and gift, and the principle of voluntary action as against compulsion. After a time they elected, whether on their own motion or in consequence of the pressure put upon them from another part of the House I cannot say—they elected to proceed on the principle of compulsion and gift. Now, I think the House has a fair right to exercise its own judgment on that question. I think the House has a right to consider the question in all its bearings. I am conscious that hitherto we have been very far from considering the question in all its bearings. But I know that others better acquainted with the matter than I am are prepared to supplement my observations; and I am satisfied that the Committee, looking at the great and paramount importance of the question now raised, will exercise a sound and unbiassed judgment upon the proposal submitted to them.

Amendment proposed, in page 1, line 10, after the first word "the," to insert the word "joint."—(*Sir Stafford Northcote.*)

Question proposed, "That the word 'joint' be there inserted."

Mr. GLADSTONE: This is the first time within my Parliamentary experience that I have ever heard the Leader of the Opposition rise upon a particular Amendment—of importance it is true, but of limited scope—and take the opportunity of discussing the whole Bill, and travelling beyond the Bill, and going into questions of the Land Act entirely outside the Bill. I must say that the right hon. Gentleman has set an example which, I believe, if followed in another quarter of the House, would lead to very summary proceedings. I remain under this disadvantage, that I must allow the observations which the right hon. Gentleman has made in the wide field over which he has travelled to remain unanswered, because I must confine myself to that portion of the speech of the right hon. Gentleman which appears to have some faint degree of relevancy to the Amendment. [MR. WARTON: Oh!] Notwithstanding the displeasure of the hon. and learned Member for Bridport (Mr. Warton), I am compelled to say, however painful it is to differ with so great an authority, that I shall confine myself to those portions of the speech of the right hon. Baronet which have some faint relevancy to the Amendment he has moved, and which, as I have said, is, no doubt, an important Amendment. The right hon. Gentleman said that it would be better to have a defective settlement in 1882, and a better one in 1883. Now, I do not know the meaning of the difference between 1882 and 1883. So far as the action of Her Majesty's Government is concerned, the question will not be postponed till 1883.

SIR STAFFORD NORTHCOTE: I may explain that what I said was that the question would not be settled until the Courts had operated upon the different cases submitted to them, which would not be until 1883 or 1884.

MR. GLADSTONE: I am much obliged to the right hon. Gentleman for the explanation. It does not, however, appear to me that time would be gained, but that it would be lost, by the adoption of such a method. The right hon. Gentleman says that the Government have disarranged the arrangements which have been made in Ireland, and that he has a friend who has arranged with his tenants to settle their arrears; and he assumes that that arrangement was pursued by others in Ireland, and that this friend and his tenants are patterns of all the other landlords and tenants in Ireland. But they are no such thing. The right hon. Gentleman's citation of one case is almost frivolous, when I point out that the general object of the Bill is not for my own friend or the right hon. Gentleman's friend, but for the mass of the tenantry in Ireland. Has the clause of the Act of 1880 operated upon the whole mass of the tenantry? It has failed to do so, and it has failed within so little of being an entire failure, and proof is so adequate with respect to it, that we propose to allow even those who have come under arrangements to undo those arrangements, and come under the present Act. Yet the right hon. Gentleman says that we are about to disarrange what is now going on in a satisfactory manner. That statement I entirely deny, and I challenge the right hon. Gentleman to prove it. On the contrary, speaking roughly, out of the tenants in arrear in Ireland I do not believe that more than one in 100 has settled under the clause of the Act. If that be so, what is the use of talking about the inexpediency of disarranging the arrangements of a satisfactory character now going on with the consent of both parties? It is the opinion of the Government that this question is one of great importance, and the only way of dealing with it is the plan we propose. The right hon. Gentleman says that we shall leave upon the minds of the landlords a grudge and sense of wrong by the confiscation of their property under this Bill. I do not hesitate to say that, lightly as the word "confiscation" has often been used before, there has never been a case in which it has been used with so much levity as it now has been by the right hon. Gentleman. Anyone who knows the character of the Irish arrears knows that where they exist they have depreciated in market value far below their capital value. They have been long used for purposes entirely unknown to English landlords—namely, to place a power in the hands of the Irish landlord to establish his control over the holding, and not with any view towards the recovery of them. I would venture to tell the right hon. Gentleman a fact which has been made known by the researches of the Land Court. Probably he has seen the letter of Lord Clanricarde, in which he states that he has postponed the collection of his rents, and added them to the arrears. That is the old Irish practice—not to give abatements in order to meet the necessities of the time, and to make the tenants safe against future claims, and to allow the tenants to start fair in the future; but to let the rent stand against the tenants, so that it may be made a lever in the hands of the landlord to compel the tenant to agree with any increase of rent, or to comply with any other alteration in the conditions. Who ever heard in England of selling the arrears upon an estate?—I speak in the hearing of Gentlemen concerned in the management of estates—Who ever heard in England of the sale of the arrears on an estate? But in Ireland it is a common thing to sell arrears of rent upon an estate. [“No, no!”] Who said “No!”

Mr. BRODRICK: I said “No!”

Mr. GLADSTONE: Then I will tell the hon. Gentleman who says “No!” that the practice has been noticed in an Act of Parliament, which recognized and sanctioned it. I am astonished that any hon. Gentleman acquainted with Ireland should not have cognizance of that fact.

Mr. BRODRICK: It is not the practice now.

Mr. GLADSTONE: I never said it was the practice. If I had said that it was the practice, I should have asserted that it was the universal rule. I said it was a practice, and a common practice, in Ireland. I am happy to know that there are a large number of estates in Ireland upon which there are as few arrears as upon an English estate; but a bad practice has existed for the outgoing landlord to hand over to the incoming landlord a mass of arrears. The arrears are never expected or intended to be recovered; but they serve as a power in the hands of the landlord. Yet the right hon. Gentleman now comes forward and tells the Committee that, by the manner in which the Bill deals with this mass of arrears, we are confiscating, forsooth, the property of the landlord, when we are going to give him, in a multitude of cases, a great deal deal more than he could by any possibility otherwise obtain. So much for confiscation. But there is another point—that on the tenant's mind there is a sense, not of grievance, but of demoralization; and that demoralization, says the right hon. Gentleman, was urged as an argument against the principle of gift by my right hon. Friend the Member for Bradford (Mr. W. E. Forster). Now, the arguments have been used in solidarity by every Member of the Government; but it must not be supposed that each Member of the Government was obliged to answer for every word spoken by every other Member of the Government. My right hon. Friend the Member for Bradford, I happen to know, took a particular view in connection with the circumstances in which the principle of gift was proposed, because it made no reference to the ability of the tenant to pay. But my right hon. Friend never said, and I believe I am correct in saying he never thought, it would be demoralizing to assist with a gift from the public funds those tenants who were unable to pay. My right hon. Friend, upon whom the right hon. Gentleman charges this doctrine, himself has spoken in this debate in favour of the present Bill, and in favour of the principle of gift. In reference to what the right hon. Gentleman has said about finality of legislation, I think, after the circumstances referred to in connection with the Purchase Clauses, to speak of finality of legislation is only encouraging a renewal of agitation. And now I come to the basis of the right hon. Gentleman's proposition. No doubt it would be desirable if we could work this thing through a joint agreement between landlord and tenant, and such a proposal would have my commendation. But the fact is that we cannot so work it. The right hon. Gentleman says, with truth, it is not desirable that the Legislature should interfere in these relations. Certainly, it is not; but the hard necessity of the Irish case, the dictates alike of humanity and policy, have obliged us to put out of view those minor considerations, in consequence of the weight of the major considerations connected with the condition of Ireland and of its people. It is too late to say we could only adopt a method of joint procedure after the Land Act of last year. The House of Commons, by a vast majority, adopted—and the Friends of the right hon. Gentleman in the House of Lords, in a large majority, adopted—a law which was founded, not upon joint action, but upon action which was voluntary as regarded one party, and compulsory as regarded the other. That is the principle which the Government have assumed as their starting point. Well, now, I want to know if the principle of compulsory action is necessary for the tenantry of Ireland in general, is it less or is it more necessary for that portion of the tenantry of Ireland with whom the Committee are going to deal? I grant you that objectionable clauses may be made when this sort of compulsory action is taken; but we have taken the greatest pains to make the provisions of the Bill equitable. I do not hesitate to say that I believe, in a great number of cases, this Bill will confer a large pecuniary boon upon the landlord; and it is only the policy involved in the measure which makes it justifiable to propose such a Bill. But I put this argument —if, in the case of the tenantry of Ireland who pay their rents, it was necessary to give to the tenant, on high public grounds, the power of drawing his landlord into Court, is it not tenfold more necessary on the part of the tenant who, not by his own fault, but by inability, is prevented from paying his rent, and is shut out from the benefits of the Land Act, and can obtain no relief from the Court? This Amendment deliberately proposes to withhold from these tenants the assistance which Parliament and the Party of the right hon. Gentleman in the House of Lords has given to every other class. I will not further detain the Committee on this subject. It appears to me that, after having tried the voluntary system for arrears, which has failed, and after having established the principle of compulsion in the case of the stronger part of the tenantry, it would be quite impossible to adopt a contrary system in the case of the poorest and weakest of the tenantry of Ireland. If the proposal of the right hon. Gentleman were adopted, what would be the effect? In 1883, in 1884, and afterwards, this question of arrears would crop up, staring us in the face, and would again be a source of social disturbance and disorder, and prevent Ireland from having that peace for which we are making so many struggles and sacrifices.

MR. FITZ-PATRICK said, his right hon. Friend had shown that his proposal would be a great advantage to both landlord and tenant. He could not see any objection to that proposal. He himself knew a case in which the acting upon the principle of that proposal was beneficial. The other day a meeting was held of tenants on an estate with which he was connected. They stated their wishes; he talked the matter over with them, and an agreement between himself and the tenants was the result. In almost all cases where the landlord and the tenant came together the matter was discussed with forbearance, and a settlement without difficulty was the result. He confessed that he did not see any objection in any way to the Amendment moved by the right hon. Baronet; because if they forced the tenant to enter into an agreement, he was immediately induced to believe that he had something at stake, and he would say—"I have no wish to wipe off this one year's arrears." If they forced the landlord to agree, then, *vice versa*, the same thing happened, and they made him angry. The Prime Minister said the object of the Bill was to help the poorest tenants—tenants who could not help themselves—but the Bill would not do that at all. The tenantry who were the poorest of all would not be reached by this Bill. The very poorest tenant had nothing literally. He had his tenant right, which he was not allowed to sell; and if he was told to pay a year's rent, how could he do it? He believed that the adoption of the Amendment would be of advantage in removing a portion of the grievances of the Irish landlords. The Prime Minister said the arrears had been depreciated in value. But what caused that depreciation? Through the inaction of the Government for some time after the Land League commenced operations, the arrears became large, and the tenants had never been allowed to wipe them off. The Prime Minister said it was a common practice to sell arrears; but he was perfectly convinced that if the right hon. Gentleman would make further inquiries, he would find it was not a common practice either to sell arrears or to allow them to accrue, and then utilize them against the tenant.

COLONEL COLTHURST said, he had advocated the principle of loan instead of gift, but he could not support the proposal of the right hon. Gentleman opposite. He believed it was absolutely necessary that the principle of compulsion should be adopted if the Bill was to have any operative effect at all. The hon. Gentleman who had just spoken (Mr. Fitz-Patrick) mentioned that in his own county a mutual understanding had been arrived at in reference to arrears; but the cases referred to were not cases contemplated under the Bill. In the first place, the tenants whom the Bill proposed to relieve were tenants with whom it was not possible to make such arrangements, and the adoption of the Amendment of the right hon. Baronet would render the Bill absolutely worthless. As to the sale of arrears, he also thought his hon. Friend (Mr. Fitz-Patrick) was mistaken. There was no doubt that arrears could be sold. He knew one remarkable case in which arrears of 20 or 30 years were sold. The estate had changed hands three times, and the tenants were at this moment groaning under the arrears which had been sold by the owner of the estate at least twice. He had no wish to mention the name of the estate; but he would do so if it were considered necessary.

Captain AYLMER said, he had never heard of a single instance of the sale of arrears except the one mentioned by the hon. and gallant Member for the County of Cork (Colonel Colthurst), which was the case of an estate sold in the Incumbered Estates Court. As regarded the Amendment of the right hon. Gentleman, he felt that the effect of the Bill, if it were passed as it had been drafted without the Amendment, would do great harm in one direction. At present there were a great many cases settled out of Court, under the Land Act, and he believed it was the wish of the Government that as many as possible should be so settled. But if Parliament placed this power in the hands of the tenant, they would in future prevent any settlement from being carried out by arrangement; and he thought that was the settlement referred to by the right hon. Gentleman when he said that the clause in its present shape would interfere with arrangements between landlord and tenant. If the Amendment were accepted, the tenant would be more likely to come to terms with his landlord, and would be disposed to say—"I am able to wipe off all my arrears, except a small portion, and, therefore, I am anxious to make an arrangement." The hon. and gallant Member opposite (Colonel Colthurst) had referred to arrears which had grown up for 20 or 30 years; but what it was proposed to wipe off by this Bill was the arrears which had accumulated in Ireland within the last three or four years. He was quite satisfied that if the Amendment were not accepted it would be difficult to bring about an amicable feeling between landlord and tenant, or to induce them to enter into mutual agreements out of Court.

Colonel NOLAN said, the adoption of this Amendment would not be conducive to the tranquillizing of Ireland, and if hon. Members desired to bring about a better state of things there they ought not to accept it. It would make the action in the case more cumbersome, and the settlement would undoubtedly be delayed; and the mere fact of people having to agree as to whether or no the Bill should be availed of, would in many cases prevent any action being taken under it at all. The hon. Member for Portarlington (Mr. Fitz-Patrick) had argued that the clause ought not to be in the Bill in its present form, because it could not be put in action owing to the fact that some of the tenants could not pay the year's rent. The hon. Gentleman might as well say that the medicine prescribed for a patient could be of no use because it might not be successful in some cases. But he held that in the vast majority of cases the Bill would be useful. The right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), in supporting this Amendment had contended that the clause would demoralize the tenant; but he would point out that the tenant would be just as much demoralized if he were to get the money by the aid of the landlord as if he got it upon his own application alone. He had spoken on the subject with many landlords in his own county, and he was satisfied that a large number of landlords in the West of Ireland would like the Bill to pass. For his own part, he believed that practically the landlord would be benefited by its passing in its present form. With regard to the Amendment, he repeated that it would make the Bill useless, and, if after being rejected in that House, it were introduced in "another place," he should certainly vote against the Bill in consequence. The Amendment, if adopted, would take off about 90 per cent of the value of the measure.

Mr. MACFARLANE said, hon. Members on that side of the House had spoken strongly in favour of this Amendment, and had urged [the great desirability of maintaining joint action on the part of the landlord and tenant in Ireland. Now, nothing could be more desirable than that, and everyone would echo the wish that, in a matter of this kind, both parties should be agreed. But the House would be aware that, practically, no such joint action could or did exist, and it was for that reason that Parliament had had to legislate between the two parties. Had there been this joint action the Bill would not have been required. He was unable to understand on what ground the Amendment was pressed on the Committee. All the clause proposed to do was to remedy a defect in the Bill of last year which proved fatal to the Arrears Clause, by making it a condition that there should be a joint request for the application of State funds to the liquidation of arrears. The landlords had not responded to this condition, and the present Bill was brought in for the express purpose of enabling the poorest and most wretched tenants in Ireland to initiate action for themselves. But there was nothing whatever to prevent the landlord and tenant coming together and making their arrangements. The clause simply enabled the tenant of an obstinate landlord who desired to clear his estate to apply to the Court for relief in the matter of arrears in his own name. He was clearly of opinion, after the experience of last year, that there should be an opportunity of making separate and distinct application on the part of the tenant, and he was at a loss to understand why hon. Gentlemen on that side of the House, in the supposed interest of Irish landlords, should propose and press for this joint action on the part of the landlord and tenant.

MR. PLUNKET said, he desired to make a few observations before the discussion closed. In the first place, the Amendment seemed to him to be one which the Government might have received in, at any rate, a friendly spirit, inasmuch as it was merely proposed to introduce into this Bill the very principle contained in their own Act of last year. The proposal was simply to make it a condition that there should be joint action on the part of the landlord and tenant to have the arrears settled in the manner provided; but he was compelled to call attention to the extraordinary manner in which it had been received by the Prime Minister. His right hon. Friend the Leader of the Opposition had introduced the Amendment, after due Notice and in his own name, and no one could say that it did not challenge one of the most important, although not the main, principles of the Bill. Now, in putting forward his views on this subject, his right hon. Friend addressed the Committee certainly for less than half-an-hour, and, in doing so, he avoided, as far as possible, any topics which had no direct bearing on the point with which he was dealing. But the Prime Minister, in a speech of great length, attacked his right hon. Friend in language which, as far as his experience went, had never been used by the Head of the Government to the Leader of the Opposition. The right hon. Gentleman said if the discussions in Committee were to be conducted in future in the spirit and style adopted by the right hon. Gentleman who had proposed this Amendment, very strong measures would have to be taken. Why, he had never in his experience heard such an assertion. The right hon. Gentleman onght to have remembered that this principle, which he now thought ought to be disposed of in, perhaps, five minutes, was one of the principles which, they were told, redeemed the Bill of the Government last year from the charge of demoralizing the people. The right hon. Gentleman said he was not responsible for what was spoken by his Colleagues; but certainly he sat beside them, and never challenged the words they uttered. Having regard to what had taken place, he was bound to say that the manner in which the Leader of the Opposition had been met on the occasion of his introducing an Amendment to the Bill beyond comparison important, did not augur well for future proceedings in that House. The right hon. Gentleman the Prime Minister went on to say that the Government were charged with confiscation. But how did the right hon. Gentleman meet that argument? Why, by a wild charge against the landlords of Ireland generally—that they allowed their rents to run into arrear, not from any motive of toleration or compassion, but simply, as he said, for the purpose of obtaining a leverage over their tenantry. He should like to know how many estates the right hon. Gentleman could point to on which that had occurred? The right hon. Gentleman, with no shadow of authority, had made that sweeping charge against a body of honourable men. But how did he support the charge? He said—"Do you really deny that; don't you know there is an Act of Parliament which recognizes the fact?" The right hon. Gentleman, however, carefully abstained from telling the Committee to what Act of Parliament he referred. There was the Incumbered Estates Court Act; but in what sense did that deal with the point referred to by the right hon. Gentleman? Was it in the sense in which he endeavoured to deal with it in Committee, and which had probably been put into his head by some impartial adviser—namely, that this was an Act of Parliament which sanctioned some scandalous transaction whereby the landlords were permitted to sell property on which arrears of rent had accumulated? Nothing of the kind. The Act simply allowed arrears of rent to pass with the property, and certainly did not legalize the practice alluded to by the right hon. Gentleman. He said it was too bad that the Prime Minister should rise in his place at the beginning of a debate upon an Amendment which touched the most delicate relations between landlord and tenant, and make charges of the kind on no better foundation than this. He had listened to the remarkable speech of the right hon. Gentleman, and considered that it was as likely as anything to lead to heated and protracted debate. He said, on the authority of those who put forward the principle contained in this Amendment last year, that this principle, and this alone, could redeem the present legislation from demoralization; and, further, that if they left it to the landlord in every case to disprove the inability of the tenant to pay, they would leave to him an impossibility—a task that the late Chief Secretary, when he was a Member of the Cabinet, declared to be impossible of performance. If that were so, then the Government, by refusing to accept the Amendment of the Leader of the Opposition, offered a direct reward to those dishonest tenants who had abstained from paying their rent, in order to get their arrears wiped out—which he (Mr. Plunket) charged again as an act of confiscation on the part of the Government—and, moreover, they gave discouragement to those who had endeavoured to do their duty and pay their rents.

Mr. SHAW LEFEVRE said, the right hon. and learned Gentleman who had just spoken stated that he had never known a case in which arrears of rent had been allowed to accumulate in the manner indicated by the Prime Minister, and he challenged that right hon. Gentleman to name the Act of Parliament to which he had referred. He could not but think that a good deal of the feeling that existed on the opposite side of the House with reference to this question of arrears was due to a misconception as to the practice of the Irish landlords. Everyone must be aware that when bad seasons occurred in England, the landlords then, as a rule, remitted a portion of the rent. Nothing could be more common than to see that such and such a landlord "has remitted 10 or 20 per cent of his rents;" and he was sure that during the recent bad times the English landlords had at various periods remitted what, on the whole, amounted to the rent of one year. But that was not the case in Ireland, and it never had been. The practice there had not been to remit rent in times of depression, but to allow it to accumulate in the shape of arrears. It was in illustration of that practice that the Prime Minister had quoted the letter of Lord Clanricarde, which said he had not remitted rent in 1879, but added the rent to the arrears. That, he maintained, was the old practice in Ireland, and he would refer, as an illustration, to what took place in the Incumbered Estates Court in 1847-8. In those years large arrears were accumulated on many estates in Ireland; these were kept up for years afterwards without the slightest intention on the part of the landlords ever to collect them; and when the estates were sold in the Incumbered Estates Court it was the practice of those who bought the estate to purchase the arrears—here, again, not with the object of collecting them, but for the purpose of holding them over the tenants. That practice assumed such importance that in the year 1858 a clause was introduced to enable the Incumbered Estates Court to permit the sale of arrears to the purchaser of the property, so that he might use them either against the tenant as before, or be able to recover them in his own name from the tenant instead of from the vendor. It was to this clause—the 58th section of the Act—that the Prime Minister referred. The practice of leaving arrears uncollected, as against the remission of rent in bad times, in his opinion, threw a great deal of light upon the present condition of affairs in Ireland. They had had three of the very worst seasons known in Ireland. He ventured to say that 1877, 1878, and 1879 were the worst years known there since the Famine of 1846-7; during those three years large arrears had accumulated, and it was with those arrears they had now to deal. It was of the greatest importance to remember that tenants were practically unable to avail themselves of the Land Act of last year to go into Court; and this power the landlords were now making use of. It was on this account that it was necessary to deal with the question in the manner proposed by Her Majesty's Government. But the Amendment of the right hon. Gentleman opposite struck at the root of the Bill, and would, if it were adopted, render it useless. They had already had experience of what its effect would be, in the way it had impeded the operation of the Bill of last year. The Act of 1881 was based on the voluntary principle, and it had failed; and it was, therefore, impossible to proceed upon the same principle now. The landlord and tenant in Ireland were so far apart that they could not come to any agreement on this question; it was therefore absolutely necessary that the Legislature should interfere, and the only way they could do so effectually was on the principle of compulsion. For these reasons, he hoped the Committee would not agree to the Amendment of the right hon. Gentleman.

MR. SALT remarked, that the hon. Member for Carlow County (Mr. Macfarlane) had stated that if the word "joint" were inserted it would have no value whatever, because it would be open to the landlord and tenant to make exactly the same joint arrangement without the Bill as they could make under the Bill.

MR. MACFARLANE: I said that the Bill, as it stood, without the word "joint," would not prevent a joint arrangement being made.

MR. SALT said, he had understood the hon. Member to say that a joint arrangement could be made without the Bill—that the joint arrangement proposed in this clause would be just as good without the Bill as with the Bill. But he wished to observe that, even if the word joint were inserted, the Bill would still confer great benefits both on the landlord and tenant. A large grant of money, a remission of rent, and a settlement of claims would still be obtained.

MR. MACFARLANE explained that he had intended to convey that the non-introduction of the Amendment of the right hon. Gentleman the Member for North Devon would not in any way prevent the landlords and tenants agreeing to make a joint application, and that the Bill, as it stood, reserved to the tenant the right to make an application without the consent of the landlord.

MR. H. R. BRAND said, he thought that the Amendment, if accepted, would entirely destroy the efficacy of the Bill. The right hon. Gentleman the Leader of the Opposition had based his arguments in favour of the Amendment on the supposition that there was a chance of a friendly settlement between landlord and tenant being arrived at. Now, looking at the present state of affairs in Ireland, he would ask the Committee whether there was the slightest chance of any such friendly settlement in the immediate future? In view of the agitation which had led to the Land Act of last year, the Land Act itself, and the evictions reported from Ireland, was it likely that the landlords and tenants would join together and make this arrangement voluntarily? He thought it unreasonable to suppose anything of the kind would be done, and, therefore, it seemed to him that the only course open to the Government was to proceed in this matter on the principle of compulsion. The test that was to be applied to the alleged inability of the tenant to pay was, no doubt, a very difficult one, and would lead to considerable discussion. But, as had been stated by the right hon. Gentleman, the landlord was the individual best able to speak from his own knowledge on that point, and he (Mr. Brand) could not conceive anything more unfortunate than to make the landlord both the medium of application on the part of the tenant and the judge of his inability to pay. He understood the object of the Bill was to enable the tenants to take advantage of the increased facilities given to them by the Land Act of last year, or rather to prevent them suffering a loss of these advantages by eviction on account of their arrears of rent. The proposal of the right hon. Gentleman opposite, then, amounted to giving the landlords power to place a veto upon that arrangement. What would be the natural object of the Irish landlords? He did not speak of all; but there was a certain number of them who would wish to push their claims strongly and partially, and their object would undoubtedly be to prevent the tenants from obtaining the advantages offered to them by the Land Act of last year. He repeated that the right hon. Gentleman proposed to give the landlord power to veto the Act; and as this would be fatal to the Bill, he trusted the Committee would decide against the Amendment.

Mr. DILLON said, he wished to mention two facts which had come under his notice, having a considerable bearing on the statements which had been made in the course of this discussion. In the first place, he had had in his hand a bundle of writs served in the county of Roscommon for rents outstanding from seven to 13 years. Again, within his knowledge it had been acknowledged to be a good system to keep always a year's arrears hanging over the tenants in order to bar them out from the benefit of every Land Act passed in that House.

Colonel O'BEIRNE said, the right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre) was incorrect in stating that it was the invariable practice that the arrears should be added to the arrears of previous years. He knew several estates in his own county (Leitrim), the owners of which pursued the opposite system.

Sir WALTER B. BARTTELOT said, he was surprised to hear the hon. Member for Tipperary (Mr. Dillon) say that it was the usual custom in Ireland to keep from seven to 13 years' rent hanging over the tenants.

Mr. DILLON: I said that in one instance in the county of Roscommon I had the writs in my hand.

Sir WALTER B. BARTTELOT said, that in that case the argument did not apply, because what the hon. Member stated only showed how lenient the landlord had been in not calling upon the tenants who were unable to pay the rent in question. But it occurred to him to ask—supposing the arrears were forgiven the tenants, would they be able to pay their rent in future? That question, he thought, deserved serious consideration, although it had been passed over very lightly by right hon. Gentlemen opposite. The right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre) spoke of the Famine of 1846 and 1847—the two bad years—but the Committee must bear in mind that the necessity existing then was ten times greater than it was in the years 1877 and 1878. The two periods could not be compared. But there was no Arrears Bill brought forward then. Why was an Arrears Bill brought forward now? It was to help right hon. Gentlemen sitting upon the Treasury Bench who were endeavouring to conciliate hon. Members on that side below the Gangway, who had shown that they were not to be conciliated even by these means, and also materially to help and work out the Land Act of last year. It had been stated over and over again that the rights of the landlord were to be protected; but what rights had been left to him excepting that of the power of eviction? He ventured to say that although there were some landlords who had used this power to the extreme, yet, taking the general body of them, as had been stated by the right hon. Gentleman the Prime Minister in introducing the Acts of 1870 and 1881, they had done their duty honestly and fairly, and with great consideration to their tenants. And yet their reward was that they were not to have any voice in the settlement of a question so vitally affecting them as that of arrears of rent. Take the case referred to by the hon. Member for Tipperary (Mr. Dillon). Supposing that the man died—an event which was as likely to happen in Ireland as elsewhere—what position would the landlord be in who, as was generally the case, had to recover the arrears not for himself, but for others, for whose benefit they were left, and he was responsible for them—what position would he be in when the arrears were given up? He said this was a question which most seriously affected the interest of the landlord, and which ought to be carefully considered before the Committee deprived the landlord of the right of saying anything with regard to these arrears. But he also pointed out that the landlord who had been generous to the tenant, and the tenant who had done everything in his power to meet his liabilities, were both especially to suffer. The landlord who had not called upon his tenant to pay was now to be mulcted of the arrears due to him, while the tenant who had striven to pay his rent, and had done so, was to receive no consideration. But the men who had attempted to avoid all their engagements were to receive every consideration—those were the men who would be benefited by the Bill when it became law. It was because he thought these were serious and damaging matters, so far as this question was concerned, that he should give his hearty support to the Amendment before the Committee. With regard to the argument of the hon. Member for Stroud (Mr. H. R. Brand), that the adoption of the Amendment would render the Bill useless, he pointed out that although the Amendment might be said to be at variance with the principle of compulsion, still it could not be considered otherwise than as fair and reasonable to those landlords, whom the Prime Minister admitted had done their duty in Ireland.

MR. SERJEANT SIMON said, he should be very sorry to approve anything in the nature of injustice towards Irish landlords. He pointed out that one of the objects of the Bill was to relieve tenants who were weighed down with a burden of arrears, which had accumulated through misfortune and circumstances over which they had no control. Now, if the Amendment of the right hon. Gentleman the Leader of the Opposition were carried, the whole of the benefits of the Bill of last year would be taken away from a large mass of the Irish tenantry. The case stood thus. There were two adverse parties—debtor and creditor—the former the tenant, the latter the landlord; they had before them a Bill for the purpose of relieving the tenant, and the Amendment proposed that the tenant should only get relief when he had obtained the consent of the landlord to apply to the Commissioners. Why, it might as well be contended that a man, seeking redress of a wrong, should not commence an action at law without the consent of the defendant. But the Bill allowed the landlord to go into Court if he thought fit to do so, and then, unless the tenant took action in the matter, there was nothing to prevent the landlord showing that the tenant's claim was unfounded, and that he was able to pay. If the Amendment were adopted, it was clear that the object of the Bill would be defeated. Without using strong language, the Amendment might be described as an affront to the Bill; and he should, for the obvious reasons stated, vote against it.

MR. GIBSON said, that both the Bill and the Amendment were of importance, and could not be disposed of by strong expressions of opinion, or by strong epithets towards those who put forward their views in connection with them. He did not believe the Amendment would kill the Bill, to use the phrase of an hon. Member who had spoken in the course of the discussion. Undoubtedly it was an Amendment which would lead to important considerations in reference to the measure, but to considerations which were entitled to be presented to Parliament and to the country, and upon which they might fairly ask and claim the judgment of the House. The object of the Amendment, as it would strike one at first blush, was tolerably fair. The hon. and learned Gentleman who had just spoken argued as if the landlord ought not to have any voice in the matter. Of course, it must not be forgotten that they had reached times when all their bearings with relation to ordinary transactions had been lost.

MR. SERJEANT SIMON: The right hon. and learned Gentleman has not quite correctly represented me. I did not say that the landlord as the creditor should not have a voice in the matter. I said he would have a voice in it—that he could go before the Court and, if it were the case, show that the tenant's claim was unfounded.

MR. GIBSON admitted that the tenant could go before the Court; but his protest would be worthless, because the tenant could bring him in whether he liked it or not. The Committee were asked to assent to the proposal that there should be a joint application on the part of the tenant and the landlord; in other words, that the landlord was to have a voice in the matter, and be considered before calling a portion of the Act into operation. From the opposition it had received one would think that the proposal was of a nature never before heard of. But the words proposed by his right hon. Friend were actually taken from the Arrears Clause of the Act of last year; and, although they lived rapidly now, it was rather startling to be told that the words of the Ministry, which were thought to embody good and sound statesmanship eight or nine months ago, were no longer to be tolerated, and to find that the Leader of the Opposition, who felt it his duty to propose their admission into this Bill, was exposed to the observation that he was very well off in not being dealt with in a summary manner for his temerity in arguing in support of his own Amendment. The right hon. Gentleman the Prime Minister, however, in replying to the Leader of the Opposition, had occupied but five minutes less than he had in laying his views before the Committee. The right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre) stated it was of no use to go back on the Act of 1881, which contained the principle that the landlord should have a voice in the disposition of his own property, because the clause had failed. But did it fail on that account? There was no validity in the argument, and the House was not in a position to affirm that the clause had failed on the principle of option. Anyone who took up that curious section would find reason after reason why it should have failed, quite irrespective of the principle of option. Take one of the reasons which at once presented itself. It failed because no landlord, unless driven by poverty and distress, would undergo the primary condition — namely, that the tenant, having got the loan largely for his own benefit, was not to be the person to be answerable for it, but the landlord. If that, as he believed it to be, was an abundant reason for the failure of the clause of the Act of 1881, he was at a loss to know what would be a good reason. The Prime Minister, feeling it was necessary to deal with the question, said—"Oh; but in the Act of 1881 you enable the landlord or the tenant to do everything relating to the tenancy, and it is rather too late now to say that you require a joint action on the part of the two in reference to arrears." But he had to remind the Prime Minister that in the same Act of 1881 the difference was that the tenant might invoke the Tenure Clauses alone, and that the landlord might invoke the intervention of the Court. It was felt necessary to admit some words, and in the Tenure Clause there were the same words as his right hon. Friend now moved. The precedent for this proposal of the Government was to be found in the Bill of the hon. Member for New Ross (Mr. Redmond), which dealt with the Land Act and the stopping of arrears, and in which, as might be expected, the landlord was ignored and taught his proper place. But the landlord was given no voice in the matter, and to the tenant alone was given the right of invoking the intervention of the Court with reference to arrears. This Bill was, in substance, the same as, though in words slightly different from, the Bill in question, because it left the tenant, and the tenant alone, absolute master of the position. The tenant could go into Court when he pleased. But if the landlord did so with the approval of the tenant, the latter, with a gesture of contempt, if he pleased, could simply set the action of the landlord at naught by not complying with the condition resting on the tenant of paying one year's rent. In this way the landlord was bound neck and heel; and what use, then, was it to put in that the landlord might go into Court, unless it was for the purpose of throwing dust in the eyes of the country? It was a curious thing, bearing in mind the relations of the parties, to say to the tenant that he could do all sorts of serious things in reference to the property of the landlord, and that he could do them against the wish of the landlord, and without conference with him. He did not at that moment say whether it was just or unjust; but it struck him as a grave and startling proposal, only to be justified by exceptional and peculiar reasons. Now, the right hon. Gentleman had dealt with this matter in several ways. Amongst others, he dealt with it in reference to the state of the country; but he had not, he thought, presented any broad view which would illustrate either to the country, or to those who read the debates, why it was that the landlords were absolutely denied any voice whatever as to how the property was to be managed in this most cardinal point. Now, attempts had been made in one or two parts of the House to show that what he would call "old bookkeeping" arrears, dating from the Famine years of 1847 and 1848, had been handed down on the estate books. They knew that on some estates that might be so; but, of course, it was not the practice generally, and when the right hon. Gentleman (Mr. Shaw Lefevre) was pressed on the subject, he at once admitted that he was only dealing with a limited class of estates, and that his illustration was not to be supposed to represent the entire state of facts. The hon. Member for Tipperary (Mr. Dillon), too, contributed to the debate from his knowledge of the whole of Ireland one solitary case of these arrears in the county of Roscommon. Still, assuming that these old arrears were more common than was actually the case, he could then understand the argument that they ought to be dealt with in some compulsory way; but, few and far between as they were, to say that this special and peculiar class of arrears were to be taken as an illustration of the general state of facts to be dealt with by this Bill was a thing which would not stand one moment's consideration. They were dealing with normal, and not abnormal, arrears—with arrears which had been permitted to accrue by the forbearance of the landlords during the last three years, and there were 50 or 100 cases of this kind for every one of the kind suggested by the hon. Member for Tipperary. He did not think the Prime Minister considered the Amendment from the point of view of argument; he was more desirous of making an attack upon the Leader of the Opposition. If this Amendment were accepted, there would be an immense advantage gained in the working of the Bill, because it would remove one of the greatest difficulties in the way —namely, the danger of litigation. If the Bill were to become law, it should be capable of application with comparative promptitude; but with the conditions now affixed to it, there was the most absolute certainty that it could not come into action for a considerable time, because the Government had sown the seeds of 180,000 or 200,000 lawsuits; and unless they accepted the Amendment of his right hon. Friend, they had guaranteed that one of the parties would feel that he was aggrieved, and that he was bound to have recourse to law for the vindication of his rights. But if the Government accepted the proposal that the landlord and tenant should jointly apply, would not that remove one of the great difficulties out of the way of the operation of the Bill? Because, if they agreed together to apply to the Court and invoke the operation of the Act, it would, of course, be on the understanding that the tenant was unable to satisfy the antecedent arrears. That in itself would sweep away a great cause of litigation, and it would be a circumstance that would be likely to lead to the greatest possible smoothness in the working of the Act. Of course, that would still leave the question open as to the right of the Treasury and the public to be satisfied of the inability of the tenant to pay; but he ventured to say that no serious or resolute offer would be made by any Government official to show that the tenant was not as poor as he said he was. The right hon. Gentleman the Prime Minister stated that he knew the landlords were in favour of the Bill, and waiting for it to pass. If that were so, where was the danger of making them one of the two persons whose joint sanction should be necessary to put the Bill in operation? Either the landlords were willing or unwilling that the Bill should take effect. If they were unwilling, the Government were taking away their property without their consent; but if they were willing, then they were refusing to accept this Amendment without reason to justify their refusal. Now, what would be the effect of the compulsion which it was proposed to apply to the landlords? They would, of course, feel they had been treated in an unfair and unreasonable way, and this of necessity would tend to widen the breach and to prolong litigation between the two parties. Again, the hon. Member for Stroud (Mr. H. R. Brand) had said that the acceptance of the Amendment would be fatal to the Bill. But he saw no reason why it should be so. He assumed the Government were prepared to accept some Amendments; he did not suppose they meant to lay down the line of the Bill, the whole Bill, and nothing but the Bill. The Amendment of his hon. Friend was serious and substantial; but, at the same time, it would leave the Bill capable of large and wide operation. It was competent to the Government to say they would not accept it, of course; but in that case it would be open to hon. Members who thought with him to give it their loyal support on division.

MR. TREVELYAN said, the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket) had appealed to the Committee to discuss this matter calmly, and in so doing he seemed to cast a reflection on the speech of the Prime Minister; but he was sure the Prime Minister's rhetorical humour had not exceeded in warmth or energy what the two right hon. and learned Gentlemen the Members for the University of Dublin, themselves both good speakers and appreciators of rhetoric, usually enjoyed. However, he proposed to say nothing which would call down the censure of the right hon. and learned Gentleman upon himself; but he should like to answer the charge of inconsistency which had been brought against the Government for not allowing under this Bill a joint application on the part of the landlord and tenant, seeing that the principle was contained in the 59th clause of the Land Act of last year. Now it seemed to him there was an absolutely conclusive difference between the present Bill and the clause of the Land Act which the right hon. Gentleman (Sir Stafford Northcote) had quoted. For in that clause the relief given to the tenant was by means of a loan, and surely it was unreasonable to say to a man that he must borrow money to pay his debts whether he liked it or not, and that he must pay it back by instalments at the will of another person, without his having the power of saying whether he would borrow the money or not. For that reason it would be quite impossible for the Government to allow in this case the landlord to have a governing voice in the matter. He supposed the right hon. Gentleman would admit that they certainly could not give a governing voice to the tenant under the 59th clause of the Act of last year, and that was the reason why joint application was enacted. The right hon. Gentleman, in supporting the Amendment, said the Government ought to have introduced into this Bill the principle which governed the Act of last year, and he contended that they were disturbing the arrangement made under the Arrears Clause of that Act. However that might be, the 59th clause of the Act had undoubtedly failed, because under it only some £30,000 had been applied for, and of that amount about £5,000 had been paid off. They must, therefore, take warning from the Bill of last year, and the Government had determined that this clause should not be a failure. The right hon. Gentleman had said that the Government must not disarrange the arrangements made under their own Arrears Clause; but when it was remembered that the small holdings in Ireland yielded a rental of £6,000,000 a-year, and that under the clause of last year only £30,000—that was only ½ per cent of the rentals—had been asked for, he must say there really was nothing left to disarrange. The right hon. Gentleman said they had been dealing with arrears which had been allowed to accrue through kindness and consideration. Now, he was very far from questioning the motives with which Irish landlords had allowed those arrears to accrue. He was quite sure they were those which were attributed to them by the right hon. Gentleman; but they had a right to say that that kindness and that consideration were not altogether directed by a just judgment. The other day he was reading a letter of Lord Clanricarde's which appeared in the newspapers. He must say he thought that letter a most significant and a most curious one in one respect. He was reading from the point of view of a person who was interested in English land, from the point of view of a person who knew how the difficulties of recent seasons had been treated by English landlords. A particular passage of the letter began by speaking of the great distress which had taken place on the estate, and then, proceeding in a tone of kindness and consideration just like that described by the right hon. Gentleman, Lord Clanricarde went on to say—

> "That under these circumstances I did not insist upon the payment of 50 per cent of the year's rental, but I allowed it to be added to the arrears."

He did not hesitate to say that Lord Clanricarde's action was entirely different from the action of those English landlords who, instead of adding 50 per cent to the arrears of the tenant, freely forgave the 50 per cent. The right hon. Gentleman asked the Government for practical reasons why this joint application by landlord and tenant could not be accepted by the Government. It went to the root of the Bill, and if it was accepted by the Government, the Government might just as well drop their Bill, because it would be as ineffective as the Arrears Clause of last year. Now, in the first place, the landlord was able, by refusing his consent, to prevent the Bill coming into operation in the case of a particular tenant. The landlord, if he was a bad landlord, might make conditions which would bear very hardly upon the tenant. He might make it a condition that he should have in one year 18 months' or two years' rent paid down. He might make it a condition that the tenant should give up part of his holding—in fact, to leave it to him to make what conditions he liked would be reducing the Bill to nothing more or less than to waste paper. The landlord, instead of making a condition regarding money, might make a condition regarding the holding. There were landlords in Ireland who found it to their advantage to consolidate their holdings, and they might make it an absolute condition that holdings might be consolidated before any of the tenants should have the benefits of the Bill, and in order to overcome these difficulties and induce the landlord to go into Court—to come within the operation of the Arrears Bill—the only possible way in which to induce them to do this would be to very considerably increase the pecuniary inducement, and to alter the financial conditions of the Bill. The right hon. Gentleman who moved this Amendment said the Bill, if it were by joint application, would increase the good feeling between landlord and tenant; whereas the Bill, if it were by separate application, would diminish this feeling. He could not remember one single argument which the right hon. Gentleman adduced to support that position. On the contrary, he was sorry to say that at this moment, for reasons which it was not necessary to go very far to seek, there was not the best feeling—there was not the usual good feeling between landlords and tenants in Ireland. He was sure one could not in many cases blame the landlords that this feeling did not exist; but he called to witness some very powerful evidence, the evidence of a witness who certainly would be accepted by the right hon. Gentleman—namely, the evidence of the hon. Member for Downpatrick (Mr. Mulholland), who, in the debate on the second reading of the Bill, gave his idea of the present feeling between landlord and tenant in Ireland, that feeling which the right hon. Gentleman was so anxious not to shake or disturb. The hon. Gentleman the Member for Downpatrick (Mr. Mulholland) gave his idea in a sentence, the metaphors of which were confused, but the drift of which it was impossible to mistake. The hon. Gentleman said the litigation resulting from the operation of the Land Act had divided landlords and tenants into two hostile camps, and left behind it some feeling of bitterness. Without accepting the form of that sentence, he could not but allow that besides that litigation which the hon. Member spoke of in the course of the last two years, a great deal had happened to throw landlords and tenants into opposite directions, and he (Mr. Trevelyan) drew from that an entirely different deduction from the right hon. Gentleman opposite. He thought it very important that the benefit of this, as he thought, most beneficent Act could be secured by both sides on the application of one party. Parliament should not oblige landlords and tenants to come to a joint decision to apply. His own belief was that if either the landlord or the tenant appealed for the benefit of this Act the feeling resulting would be common to both, and that this Act would do as much as legislation could do to do away with that unpleasant feeling which had been described by the hon. Member for Downpatrick (Mr. Mulholland). The right hon. Gentleman threw it in the teeth of the Government that a very powerful and important Member of the Administration last year spoke of a separate application for the purpose of coming under the Arrears Clause as demoralizing. The right hon. Gentleman, it was true, could not exaggerate what the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had said on that occasion; but the right hon. Gentleman the Member for Bradford had asked him (Mr. Trevelyan) to state in his (Mr. Trevelyan's) speech to the Committee that he (Mr. W. E. Forster) applied the epithet "demoralizing" to machinery which did not duly recognize an inability to pay. If that inability to pay were to be insisted upon, then the demoralizing character of the Arrears Bill in the eyes of the right hon. Gentleman the Member for Bradford and everybody else would be diminished, and, he (Mr. Trevelyan) hoped, destroyed. One argument he entirely agreed with—namely, the accelerating character of the proposed Amendment upon the operation of the Bill; but it would quicken that operation by cutting out those cases in great numbers where it would be of the greatest assistance. The Government desired to have the action of this Bill rapid; but they were still more anxious to have it thorough. They wished to have it thorough, comprehensive, and all-embracing, and unless it fulfilled those conditions the Government felt that it could not be final. If the right hon. Gentleman's Amendments were adopted, he feared the Bill, so far from being all-embracing and comprehensive, would be extremely limited in its sphere.

Mr. WARTON said, he was glad to see the Prime Minister had returned to his place, because, after the kindly reference the right hon. Gentleman had made to him, he felt it was but due he should say something. The right hon. Gentleman was kind enough to refer to his (Mr. Warton's) high position. He was sure that remark was not made in any unkind spirit or as a sneer. He considered it but a playful joke, having reference to the lofty Bench on which he usually sat. The exclamation which called for the right hon. Gentleman's reference to himself he made, because he heard the Leader of his Party attacked in what he considered very strong language. He cared little for himself, and very little would cause him to reconsider his personal position; very little would cause him to resign his seat in that House. This question had been forced upon the Committee by the Government themselves. His Parliamentary experience was not long; it was confined to this present Parliament. But during his experience he had never heard a Leader of one of the recognized Parties in the House attacked in such strong language as the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) had been attacked by the Premier. He might say that while they had complaints made on the one hand that the Leader of the Opposition took too long to consider this question, they had other complaints made that this was a matter of vital importance striking at the very root of the Bill. Surely, if this Amendment were of vital importance it was worthy of a somewhat prolonged consideration. He was struck very much with the jubilant tone adopted by Members on the Treasury Bench. It was easy to say that last year's clause was a failure. Why should not this be a failure? Why were they to say that this would be any more successful than the measure of last year? It was a question not only of gift or loan, but also of compulsion, and they ought to look carefully and philosophically at the elements of the question, so as to consider to what the failure of last year's clause was due. The hon. Member for Galway had talked about patent medicines; but it was the habit of quack doctors, when one remedy failed, to say they had some other which would be thoroughly efficacious.

Mr. J. LOWTHER (who rose amid cries of "Oh, oh!") said, he should not feel himself justified in being deterred by the disorderly interruptions from the other side of the House from saying a few words on this Amendment. He had not, as a matter of fact, had an opportunity of addressing any observations to the Committee upon this stage of the Bill, and he trusted the Committee would now allow him to say a few words on this Amendment. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant made a defence of the speech of the Prime Minister. He (Mr. Lowther) could not help thinking that had the right hon. Gentleman been present when that speech was delivered he would have been painfully impressed with the fact that the language of the Prime Minister, although it came, no doubt, from the bottom of his heart, certainly partook of the character of menace. The right hon. Gentleman the Prime Minister, addressing the Leader of the Party opposed to him in Parliament, spoke of the remarks of the right hon. Gentleman the Leader of the Opposition as being such that if they had emanated from another quarter of the House which he indicated, they would have necessitated the adoption of what he ominously called certain measures. He (Mr. Lowther) ventured to say that that was language which had never been used in the House of Commons before. He accepted it as a re-assuring incident that the right hon. Gentleman the Chief Secretary, sitting next to the Prime Minister, and doubtless having received his permission to do so, tried to minimize those oracular utterances to which he (Mr. Lowther) had referred. He trusted that in future they would be at liberty to discuss this Bill without fear of having their observations called in question in a manner with which they had recently become familiar. The right hon. Gentleman the Prime Minister must remember that, as Members of the House of Commons, they were guardians of the public purse. He had always understood that one of the primary obligations resting upon a Member of the House of Commons was to jealously guard the purse of the country. What was this Bill? They were asked by it to commit the taxpayers to what he must say was an unknown liability. [*Cries of* "Question!"] The hon. Gentleman who cried Question was none other but one whom he had always thought to be *ex-officio, par excellence,* the guardian of the public purse—namely, the Secretary to Her Majesty's Treasury.

MR. COURTNEY: I never cried "Question"—I simply said it was a second reading speech.

MR. J. LOWTHER said, the hon. Gentleman might have deferred that observation until he could have made the Committee acquainted with his sentiments in a more orderly manner, although he fully agreed with the hon. Gentleman that his (Mr. Lowther's) observation was one that might very fairly be urged on a second reading, though it was also distinctly applicable to the present discussion. He would call the attention of the Committee to the fact that the Amendment of the right hon. Gentleman (Sir Stafford Northcote) went to limit the imposition of the burden on the public purse. The Amendment proposed that this obligation should not be imposed upon the public purse unless both parties were agreed that it should be imposed. It had been stated that this was, in reality, a "No Rent" Bill. The right hon. Gentleman the Prime Minister endeavoured to reply to that by quoting some remarks which had been communicated to the public prints by Lord Clanricarde. What did that letter amount to but this—that in his (Lord Clanricarde's) neighbourhood, and, in fact, in a large portion of Ireland, the introduction of the Bill had resulted in a general stoppage of the payment of rent. This measure was very fairly described as a "No Rent" Bill. The right hon. Gentleman (Mr. Trevelyan) combated the proposition that the effect of the introduction of this Bill had been demoralizing. What could be more demoralizing than for the honest tenant to be told that the money which he had spent in the payment of his rent had been money thrown away; that if he had chosen to retain that money in his own pocket he would have been a richer man now, and perhaps he would have had more limbs on his body and more members in his family? The Government had by the introduction of this Bill, dealt a heavy blow to morality in Ireland.

MR. SYNAN rose to Order. There must be some limit to the discussion of this Bill, and he wished to know whether the right hon. Gentleman was addressing himself to the Amendment? In his opinion, the speech of the right hon. Gentleman was one only suited to the second reading.

THE CHAIRMAN: I am waiting for the right hon. Gentleman to come to the point.

MR. J. LOWTHER said, the Chairman's anxiety should not be long delayed. The right hon. Gentleman the Prime Minister himself stated that this Bill rested between the two pillars of gift and compulsion. The right hon. Gentleman had selected the principle of gift as opposed to that of loan, and he (Mr. Lowther) thought that what he was now addressing to the Committee was very pertinent to the Amendment under discussion. The right hon. Gentleman had said that arrears in Ireland were of a totally different character to arrears in England. What was the evidence the right hon. Gentleman adduced in support of that proposition? Why, he said that in England, although doubtless arrears were allowed frequently, or at any rate sometimes, to accrue, there was no Act of Parliament that recognized the sale of arrears. The right hon. Gentleman did not give him (Mr. Lowther) the reference to the Act of Parliament to which he was then alluding; but he (Mr. Lowther) understood the right hon. Gentleman to refer to the Landed Estates Court Act. The reason why there was no English Act of Parliament precisely on all fours with the Landed Estates Court (Ireland) Act was because there had been no need for such an Act in England up to the present time. ["Question!"] The hon. Gentleman who cried "Question!" was evidently not thoroughly conversant with the subject. Had the hon. Gentleman been present when the Prime Minister addressed the Committee, he would have found that the right hon. Gentleman specially quoted that Act, and dwelt with marked emphasis upon the fact that there was not on the Statute Book, as applied to England, any section which dealt with the sale of arrears. The right hon. Gentleman was doubtless aware that they had not hitherto had an

Incumbered Estates Court or Landed Estates Court in England. If the doctrine of free trade in land were applied to England, as hon. Gentlemen sitting below the Gangway on the Ministerial side of the House seemed to desire, perhaps they would have had a clause dealing with the question of arrears. The right hon. Gentleman trod on dangerous ground when he called in question the quotation made by the right hon. Gentleman who moved this Amendment from the speech of the right hon. Gentleman (Mr. W. E. Forster), whom he (Mr. Lowther) was glad to see now in his place. The right hon. Gentleman the Member for Bradford was reported to have said that the principle of compulsory insistance upon the settlement of arrears would be demoralizing. This was said to have been the declaration of the right hon. Gentleman last year. His right hon. Friend the Member for North Devon (Sir Stafford Northcote) intimated that what was said from the Treasury Bench by a responsible Minister of the Crown, representing in that House the Irish Government, to be demoralizing in 1881 might not impossibly partake of that character in 1882. No doubt, as the Chief Secretary just now said, a great deal had happened recently; but he (Mr. Lowther) was not aware that matters had proceeded so rapidly that what was demoralizing in 1881 had become just and proper in 1882. Different doctrines had been propounded from the Treasury Bench as to the responsibility of Ministers for the sayings of their Colleagues. The Prime Minister deprecated the doctrine which he said was being laid down by his right hon. Friend the Member for North Devon (Sir Stafford Northcote), to the effect that there was a solidarity amongst Members of the same Administration as to the particular sayings which might be used in the course of their speeches. The right hon. Gentleman the Prime Minister repeated that he was in no way bound by the opinions expressed by the right hon. Gentleman who at the time held the Office of Chief Secretary (Mr. W. E. Forster.) He (Mr. Lowther) certainly understood the Prime Minister to say it was unreasonable to insist upon a solidarity of the views and expressions of opinions of the Members of Her Majesty's Government. He must remind the Committee that only a few days ago a very different doctrine was propounded by the Home Secretary. The Home Secretary, in solemn terms, addressed the House of Commons, and said that every Member of the Government was represented by any one of his Colleagues.

Mr. CAUSTON rose to Order. He wished to know whether the right hon. Gentleman was now confining his remarks to the Amendment?

The CHAIRMAN could not say that the right hon. Gentleman was strictly confining himself to the Amendment.

Mr. T. P. O'CONNOR rose to Order. He asked the Chairman whether he was aware that the right hon. Gentleman was only following the example set him by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote)?

Mr. J. LOWTHER feared he must have failed to make himself clear even to the Chairman, because he was distinctly replying to, and actually quoting, the words of the Prime Minister. He had yet to learn what qualifications the hon. Member for Colchester (Mr. Causton) possessed for enlightening the Committee on points of Order. He must inform the hon. Gentleman, who apparently required information on the subject, that an essential element of debating was to be permitted to reply to a speech delivered in the course of a debate. He (Mr. Lowther) was quoting a speech delivered by the Prime Minister when the hon. Member (Mr. Causton) gave vent to his disorderly interruptions. He believed that the other hon. Gentleman (Mr. T. P. O'Connor), who had just interrupted, was not present when the Prime Minister spoke, or else he would surely not have taken exception to his (Mr. Lowther) replying to observations made by the Prime Minister. During the years he had had the honour of a seat in that House — [Mr. M'Coan: Question! Question!] The hon. Member for Wicklow (Mr. M'Coan), whose Parliamentary experience was not of long date, would, no doubt, when he had had sufficient experience in Parliament, be prepared to admit that it had always been held that in Committee, as well as in the House, Members were within their legitimate rights of debate in replying to a speech delivered by another hon. Gentleman, especially when that hon. Gentleman was the Prime Minister.

MR. SHEIL appealed to the Chairman whether the right hon. Gentleman was now addressing himself to the Question immediately before the Committee?

MR. J. LOWTHER must really object to these interruptions. [*Cries of* "Go on!"] An hon. Member said "Go on!" To be subjected to unseemly interruptions such as he had been subjected to deterred him from going on; and when he was replying, or endeavouring to reply, to the Prime Minister's speech delivered in the course of the debate, it was not calculated to promote the order of debate or the progress of the measures before the House if hon. Members who had not heard the previous speeches rose to Order and contended that replies to previous speeches were not admissible. The right hon. Gentleman the Prime Minister, among other observations, charged the right hon. Gentleman the Leader of the Opposition with calling in question, in the course of the debate in this Committee, a measure which he (the Prime Minister) said had been sanctioned by the Upper House of Parliament. [Mr. GLADSTONE dissented.] The Prime Minister now shook his head; he had evidently forgotten what he himself had said. The right hon. Gentleman distinctly said that the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) was calling in question a provision of a measure which had been sanctioned by his Friends in the Upper House of Parliament. He (Mr. Lowther) was, perhaps, now in the recollection of the right hon. Gentleman the Prime Minister. Now, this opened up a point which he thought the Committee would do well to dwell upon for a moment. The right hon. Gentleman had said, in point of fact, that if in either House of Parliament the Members of the Conservative Party did not oppose by every means in their power every proposition subjected to their consideration, they became participators and accomplices in the proceedings of the Government. ["No, no!"] What else did the words of the right hon. Gentleman mean but that? And, therefore, he thought the Members on the Opposition side of the House, at any rate, would be wise to consider very carefully how they should deal with Amendments like the present. If they did not divide upon the question, the right hon. Gentleman would say that they had acquiesced in the course proposed by Her Majesty's Government. It therefore became the duty of the Conservative Party to be very careful how they proceeded in matters of this importance. The right hon. Gentleman the Prime Minister would not be prepared to controvert his argument when he said it was the duty of all of those who strongly opposed this Bill, both in its principles and in its details, to offer every opposition they could to provisions like the present. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) last year enlightened them upon one point which had been declared——

MR. R. T. REID rose to Order. He wished to ask the Chairman whether the time had not come when the right hon. Gentleman should be required to address himself to the Amendment before the Committee?

THE CHAIRMAN: I am bound to say that I do not think the remarks of the right hon. Gentleman are very much in reference to the Amendment before the Committee, which is simply whether the word "joint" should be inserted.

MR. J. LOWTHER said, as to how far he was justified in alluding to the observations of previous speakers he would not now dwell upon; but he would say that the interruptions which had taken place had not in a single instance emanated from any Member who possessed, by experience, at any rate, any claim to assist the Chairman in the duty of presiding over their discussions. Now, as there appeared to be a very decided determination on the part of some hon. Members to anticipate the return to that House of those Members who might not have had the advantage of being present during the greater part of the discussion, and as there appeared to be a desire—[Mr. CAUSTON: Question! Question!]—as there appeared to be a desire on the part of the hon. Member for Colchester (Mr. Causton) and other hon. Gentlemen to insure a division before the return to that House of many hon. Gentlemen who had, like himself, been debarred from the opportunity of hearing the discussion, he should curtail his observations within the narrowest possible compass. He must draw the attention of the Committee to the fact that if the applications under this

Bill were to be joint on the part of the landlord and tenant, it would tend to diminish the demands which this clause would necessitate from the public purse. There was a great deal to be said in favour of a universal remission of all arrears; but he himself was not prepared to advocate it. He could understand the right hon. Gentleman the Prime Minister coming down to the House and saying that, as a matter of public policy, it was advisable that all arrears of rent should be remitted at the sole expense of the State. He (Mr. Lowther) would certainly take exception to any such doctrine; but, at any rate, he could understand it being advocated. The House of Commons was bound to consider that it was its duty to guard the public purse, and that it must subject to the closest scrutiny any attempt made upon the public funds. He trusted the Committee would not consent to claims being made upon the public purse which were not justified by the concurrence in this matter of both landlord and tenant.

Mr. VILLIERS-STUART said, that he was an Irish landlord, and as a charge had been brought against his order, he felt bound to say a word in their vindication. Until that night he had never in all his life heard of arrears being sold. The right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre) had said that remissions of rent were never made in Ireland except on condition of their being added to the arrears. Every one of the great landlords in his (Mr. Villiers-Stuart's) county made remissions of rent in 1879, and he did not think that in a single instance the remissions were added to the arrears. As regarded the Amendment before the Committee, he could not support it, because he was of opinion that unless this Bill were made compulsory it would not be successful.

Mr. MAC IVER said, he rose for the purpose of asking hon. Members opposite to give a reasonable and fair consideration to the Amendment of the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote). It seemed to him that questions affecting the condition of Ireland were far too important and too grave to be dealt with in a hurried manner; and he could not help feeling that they ought to strive, without distinction of Party, to do that which would restore good feeling between landlord and tenant. That which would restore peace to the country; that which would make people feel ready to invest money in Ireland; that which would give hope for the future, was deserving of the most serious attention; and he asked hon. Members opposite to join hands with the right hon. Gentleman the Member for North Devon in amending the Bill in such a manner as would conduce to the well-being of the Sister Isle. He hoped hon. Members opposite would exhibit a continuance of that spirit of independence which had lately been visible amongst their ranks. The Amendment of the right hon. Gentleman would restrict the mischievous operation of the Bill, and it would cause the disturbed relations between landlords and tenants in Ireland to be settled in a just and amicable manner. He was not one of those who objected to an expenditure of public money under this clause; but he did insist that whatever expenditure was made should be made for the real good of the people of Ireland. Let them accept the Amendment of the right hon. Gentleman, and they would find the clause would prove beneficial to the Irish people. To put the matter on the lowest and most selfish grounds, was it not immensely to the interest of Great Britain to make Ireland satisfied and contented? The only way, in his opinion, to make this clause useful would be by the acceptance of the Amendment. If this Bill was to be made useful, something must be done in the direction which the right hon. Gentleman proposed. Parliament must do something to restore good feeling between landlord and tenant—to make both parties cooperate for the good of the country. He should be sorry, in deference to the Committee, to stand between it and the division on this Amendment; and therefore he hoped that hon. Members opposite would put aside their Party leanings and do that which was best for Ireland.

Mr. TOTTENHAM said, at that hour, it was the evident wish of the Committee to divide, and he was not going to stand between it and the division longer than was necessary to answer one observation of the Prime Minister. The right hon. Gentleman had said that it was the practice in Ireland—[Mr. Gladstone: A practice.]—a practice, if the right hon.

Gentleman preferred the indefinite article, to sell arrears in Ireland; that arrears were, in fact, sold as an article of merchandize. Speaking with probably more experience of Ireland, but certainly not with the same experience of Parliamentary life and of the world as the right hon. Gentleman the Prime Minister, he must say he had never known of a single case where the sale of arrears had taken place; and he must add that an observation more unfounded in fact had never emanated from anyone in that House.

MR. GIVAN said, he must give a flat contradiction to what had just been stated by the hon. Gentleman (Mr. Tottenham). He had had, for many years, experience of the sale of estates—an experience more extensive than the hon. Member, or, perhaps, many other Members who had spoken on this matter. He knew that with regard to sales in the Landed Estates Court it had been a frequent practice to sell arrears, and to sell them separately, as the Landed Estates Court was empowered to do. He had never known of a case where arrears had been bought at a small figure for the purpose of being remitted; but he had known of them being bought in order that they might be kept existing against the tenant. The most had been made of arrears by landlords in Ireland. What was the fact proved before the Commissioners of Appeal in the case of Mr. Newton, of Derry? It was proved he had bought an estate in Donegal, and, finding the tenants were unable to pay the arrears, he added the interest on the money, and made it a permanent increase in the rental of the estate. Those hon. Members who had spoken in the course of this debate in contradiction of the statement of the Prime Minister had made statements in utter ignorance of the practice of Ireland. He had known not only arrears sold by the Landed Estates Court, but by private owners; and he could quote instances of sale well known to many hon. Gentlemen opposite.

SIR HERVEY BRUCE said, the observations of the hon. and learned Gentleman opposite (Mr. Givan) must be supposed to apply to some of the Irish landlords sitting on the Conservative side of the House. All he could say was, from his knowledge of the selling of estates in Ireland—and he was happy to think that he had not the knowledge of the hon. and learned Gentleman, and he did not wish to have the knowledge that the hon. and learned Gentleman sometimes exhibited—it had not been the practice of landlords, when selling their estates, to sell the arrears on the estate. What the Landed Estates Court Judge did in his business he (Sir Hervey Bruce) could not tell; but he himself sold some estates some few years ago, and he did not sell the arrears. He simply got the number of years' rent that he agreed for, and what became of the arrears he did not know.

MR. GIVAN said, in reference to what had just been said by the hon. Gentleman (Sir Hervey Bruce), he must say that he had never had any action in the sale of estates personally.

MR. GIBSON said, there could be no doubt that when an estate was sold in the Landed Estates Court arrears of rent were often sold with it. There was no question about it. But he was positive that in the experience of the hon. Member who had just sat down no case had ever been known of a landlord selling an estate to one person and the arrears to another.

Question put.

The Committee *divided*:—Ayes 170; Noes 248: Majority 78.—(Div. List, No. 244.)

MR. J. LOWTHER said, that the next Amendment, which stood in his name, related to the question of the tribunal which was to administer the Act. The Government proposed that the Land Commission should have the duty of carrying out the Act cast upon it; but it seemed to him there were very strong reasons why some other tribunal should be constituted or utilized for the purpose. It was most important that the tribunal selected should possess public confidence; and he said, without hesitation, that the Land Commission had hitherto failed to elicit that confidence. The Land Commission had certainly, hitherto, not shown itself to have that impartiality and discrimination which was essential to every tribunal laying claim to the possession of the confidence of the community. He did not wish to detain the Committee by going in detail into the reasons why he thought they would do well to substitute any other tribunal for the Land Commission. He had pointed out that the special tribunal he had referred to just now might be said to be not exactly in the position of Cæsar's wife. They had heard to-day a statement to the effect that a County Court Judge had laid down some rather strange doctrines as to the method by which a fair rent was to be arrived at, and that he had adopted a remarkably rough and ready plan in arriving at the end he had in view. It had been said that the Judge placed Griffith's valuation on the one hand, and the actual rent on the other, and, by going between them, conceived that he had arrived at a fair rent. He (Mr. Lowther) did not say that he had endorsed such a course as that, nor did he think the Government would endorse it either; but, at the same time, he should not be right in casting discredit upon the whole body of County Court Judges on account of one gentleman who had charge of this important function having so far forgotten his duty to his country. Those who knew the County Court Judges of Ireland must be aware that they were far more competent to deal with questions of this kind than the Land Commission. What was the Land Commission? Why, it was essentially a political tribunal. It had, as a matter of fact, been stated by the Chief Commissioner that his Court could not be guided by the ordinary rules that regulated the conduct of a judicial tribunal, and that they had to see that the tenants lived and thrived. There were very sound reasons why the Committee should hesitate before they cast these duties upon the Land Commission. He said emphatically, as he had said on a previous occasion this Session, that the Land Commission had been constituted on a distinctly partizan basis. On the occasion to which he referred, the Prime Minister had taken exception to the remark, and had said that one member of the Commission, at least, was not of his (Mr. Gladstone's) political opinion. He (Mr. Lowther) had ventured to question that statement; and he repeated now what he had said before—namely, that the Commission was chosen on principles that hitherto had never guided the Government in the selection of a judicial tribunal. The Government themselves had stated that the composition of the tribunal had been determined on with a view of securing gentlemen in harmony with the spirit of the legislation they were called upon to administer, and that was a delicate way of saying that they were partizans of the Government. If the Bill was to work well and smoothly, he contended that it was necessary that there should be public confidence in its administrators. The administration of the measure should be, as far as possible, secured from prejudice and bias.

Amendment proposed,

In page 1, line 13, to leave out the words "Irish Land Commission," and insert the words "county court judge for the division within which such holding is situated."—(*Mr. James Lowther.*)

Question proposed, "That the words 'Irish Land Commission' stand part of the Clause."

Mr. GLADSTONE said, he could not accept the Amendment, which was wholly inconsistent with the character of the administrative arrangements of the Bill. It was necessary that in regard to this measure, and in regard to the Land Act, there should be unity of action. The conditions required that there should be one authority presiding over the entire operations; otherwise it would become most difficult—nay, impossible—to conduct them in a manner in the slightest degree satisfactory. But the right hon. Gentleman proposed to strike out the supreme and central authority, and to substitute for it a number of gentlemen entirely independent of one another, who would have no means whatever of arriving at a unity of action. He (Mr. Gladstone) did not in the slightest degree object to the Amendment on the ground that it was supported by the argument that the Land Commissioners were unworthy of confidence. It would be seen, when they came to a later clause, that they had provided that the Land Commission might have power to work through a variety of persons who would fall within a very wide definition, and amongst whom County Court Judges might be included. He objected to the proposal on administrative grounds, in the first place because it was absolutely necessary there should be this central authority for the purpose of securing unity of action. He was bound to say he had a second reason, and it was this—he entirely challenged the doctrine of the right hon. Gentleman with regard to the Land Commission. He (Mr. Gladstone) maintained that the Land Commission did possess public confidence. ["No no!"] Well, he had never said that it possessed the confidence of the right hon. Gentleman; but he might venture to express an opinion as to the view entertained with regard to it by the public. The Commission was composed of gentlemen whose names had met with the approval of both Houses of Parliament, and whose proceedings had been strictly legitimate. It was quite true that he himself, and perhaps some other Members of the Government, had stated that the gentlemen to be appointed to administer it should be gentlemen who would work in the spirit of the Act and of the Legislature which passed it. It was their duty to conform to the mind of the Legislature responsible for the measure. The Amendment now proposed would, if adopted, be injurious, indeed ruinous to the Bill, therefore he must oppose it.

SIR MICHAEL HICKS-BEACH said, this was a most important question which had been raised by his right hon. Friend, because it was not merely whether the County Court Judges should be substituted for the Land Commissioners, but whether the Land Commission should be the tribunal to administer the Act. He did not wish to enter into the question of whether the Land Commission did or did not possess the confidence of the Irish people; but he would venture to repeat that for saying which he had been sharply taken to task the other night by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright)—namely, that he was confident that, at any rate, no inconsiderable number of the Sub-Commissioners did not possess anything like the general confidence of the Irish people. In saying that he was not so much blaming the persons who were placed in the position of Sub-Commissioners, as he was referring to the fact that by the very terms of their appointment, by the salaries which they received, and by the temporary nature of their appointments, it was utterly impossible for Her Majesty's Government—however good their intentions might be, and however much care they might exercise in making the selections—to find persons competent to fulfil the very difficult and delicate duties which devolved upon the Assistant or Sub-Commissioners. But what was the proposal in this Bill? They had already a Commission overwhelmed with work. The right hon. Gentleman the Chief Secretary had told them, in the course of a speech he delivered the other day, of his sanguine expectation that the work of the Land Commission, under the Land Act of last year, would be completed by August, 1883. But the right hon. Gentleman had based his expectation on figures that were erroneous. He had told them that there had been 78,700 applications made to the Court, that 21,511 had been disposed of, and that, therefore, there were only 57,000 remaining. As a matter of fact, however—as appeared from a Return issued on Saturday morning—there were between 9,000 and 10,000 more applications than the right hon. Gentleman had estimated, leaving 68,000 to be decided by the Commission. There was all this work before the Land Commission, irrespective of all their more important duties in the matter of breaking leases and of giving decisions on appeal—duties all of which must, of course, fall upon the Land Commission itself. He had said enough to show that it would be utterly impossible for the Land Commission to perform the duties imposed on it by this Bill. It was said that the object of the Bill was to suspend evictions, and in that way to enable the tenants to obtain the benefits of the Land Act. Well, it was essential, if that was to be done effectively, that it should be done speedily; and if there was a long delay—if the work of hearing applications were to remain in abeyance until August of next year, the Bill would be practically useless. Then, if the Land Commission itself could not undertake the duties which they proposed to impose upon it under this Bill, could the Sub-Commissioners? He did not think so—their hands appeared to be already full; therefore, it was proposed that the Land Commission should be able to delegate its powers to other persons besides the Sub-Commissioners. In a sub-section of Clause 5 the Government said—

> "The Land Commission may, from time to time, with the assent of the Treasury, appoint fit persons to investigate and report as to the existence or non-existence in the case of holdings of the preliminary conditions required to be proved for the purpose of orders under this Act, and as to the value of such holdings."

And it went on to say—

> "And the Land Commission, or Civil Bill Court, or any Sub-Commission, or any member of the Land Commission, or of any Sub-Commission dealing with an application under this Act as respects any holding, may adopt any such report, or any part thereof, as may seem expedient, and may from time to time direct a fresh investigation to take place, or may themselves or himself take evidence in respect of the subject-matter of such investigation."

Everything depended upon the investigation of all the circumstances of each case on the spot. All those delicate investigations, about which the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) had told them the other day—those inquiries as to the means of the tenant, as to the value of his tenant right, the stock on his farm, his money in the bank, and all those circumstances by which they were to determine his ability or inability to pay his arrears—would have to be investigated and settled by persons locally employed for the purpose; and it would be utterly impossible for any central tribunal, whatever it was, in practice to depart from the finding of these local investigators. And who were these local investigators to be? They were persons for whom the Government had laid down no qualification whatever in the Bill as it was now before the Committee. They would not be able to obtain for this purpose the services of persons even as competent as those whom the Government had already appointed on the Sub-Commissions. The Government would only pay these people small salaries, and the appointments would be even more temporary than those of the Sub-Commissioners. He (Sir Michael Hicks-Beach) would venture to say that for the real administration of this measure they would have to depend upon the work of those who events would prove were even less deserving of the confidence of the country than the worst of the temporary Sub-Commissioners. If that were the case, he certainly thought they were entitled to some better defence than the right hon. Gentleman the Prime Minister had offered for his proposal as it stood in the Bill. The right hon. Gentleman's objection to the Amendment was that it was opposed to the principle of unity of action which it was desirable to maintain. The right hon. Gentleman said it was desirable to have a central authority to superintend the rest, and to lay down rules for the guidance of those to whom they would have to delegate their powers. That might be; but what was the nature of this Bill? Was it not, in all the circumstances of the case, practically a Bankruptcy Bill for the tenants? Could they not, then, do this—he merely threw it out as a suggestion—avail themselves, under the Act, of the services of the Bankruptcy Court, strengthening that Court if need be, and employing the County Court Judges and other officials, who were already experienced in Bankruptcy jurisdiction? Why should they not entrust the Bankruptcy Court with this power of central administration instead of the Land Commission, which, as he had already shown, was rendered utterly incompetent by its present duties to perform any new functions. He trusted the Committee would hear from right hon. Gentlemen sitting on the Ministerial Bench not only objection to the proposal of his right hon. Friend (Mr. Lowther), but, what was more important, the required defence of the proposal of the Government. It ought to be shown to the Committee how it was possible for the Land Commission to discharge the new duties which this Bill, if unamended, would impose upon them—how the duties which the Commission would be compelled to delegate to others would be likely to be performed by the gentlemen they would obtain to undertake them; and, in short, how it was proposed to provide that which was essential to the success of the measure—namely, adequate working machinery, without which the investigation would degenerate into the farce which some hon. Members of that House had for a long time intended it should become.

Mr. CHILDERS said, he had listened very carefully to the speech of the right hon. Gentleman who had just sat down, being anxious to see how, in the course of his speech, he would contrive to support the Amendment of the right hon. Gentleman (Mr. Lowther). That right hon. Gentleman made a definite proposal; he proposed that, instead of the Land Commission, the authority to administer the Bill should be the County Court Judges. That had been met by his right hon. Friend (Mr. Gladstone) with a statement that was overwhelming—namely, that it was impossible to hand over the general administration of the Act, involving, as it did, the careful preparation of rules and regulations, and the appointment of persons to deal with each case, to a number of co-ordinate Judges of second rank in all parts of Ireland; and then the right hon. Gentleman (Sir Michael Hicks-Beach), evidently impressed very much with the arguments of the Prime Minister, had suddenly changed his ground, suggesting that, not the County Court Judges or the Civil Bill Courts, but the Judges in Bankruptcy in Dublin should administer the Act; that they, with their knowledge of Bankruptcy proceedings, would form an excellent central authority, and that the Civil Bill Court should operate under them. That, so far as he understood it, was the suggestion of the right hon. Gentleman.

SIR MICHAEL HICKS-BEACH: These Courts have already Bankruptcy jurisdiction, and are under a central authority.

MR. CHILDERS said, he was pointing out that the right hon. Gentleman supporting the Amendment—which evidently was not admissible after the speech of the Prime Minister—had diverted his argument to the point that the administration of the Act should be relegated to the Bankruptcy Court, and that the Civil Bill Courts should carry out the general system under that Court. He would point out that, so far as he was aware, the Judges in Bankruptcy in Ireland knew practically nothing about land; that it was entirely foreign to their experience. He was informed that these Judges were engaged almost exclusively in the consideration of matters arising out of commercial matters. There was a large amount of business of this kind done by the Judges in Bankruptcy in Ireland, and to confer upon them the administration of proceedings in connection with arrears of rent would be practically to render the Act unworkable. Besides, the Amendment came altogether in the wrong place. The question of who in detail should administer the Act all over Ireland was set out in the 5th clause of the Bill. The persons to whom the powers should be delegated were expressly indicated. Reports would be made by the persons appointed by the Land Commission to make them, and would be submitted, in the terms of the clause, to—

> "The Land Commission or Civil Bill Court, or any Sub-Commission, or any member of the Land Commission, or of any Sub-Commission dealing with an application under this Act."

So that, when they came to the 5th clause, they would be able to see to what extent the proposal of the right hon. Gentleman could be carried out, and whether the powers should be limited to Civil Bill Courts, or extended as in the method proposed—that was to say, that not only should the County Courts be charged with the administration of the Act, but the Land Commissioners and the Sub-Commissioners. He would propose that the Committee should not accept the Amendment of the right hon. Gentleman (Mr. Lowther), but should leave with the Land Commission the power of framing the rules—for that was a power they could not delegate to anyone else—and of directing tho business of the local authority, and, when they came to the 5th clause, should turn their attention to the question of who should be selected to administer the Act. As to the opinion of the right hon. Baronet about the confidence reposed in the Land Commissioners by the public, that opinion, he might point out, was not shared by the great majority of the House. The majority of the House did place confidence in them, and, so far as he (Mr. Childers) had heard, that confidence was shared by the great majority of the people of Ireland. The business of the Land Commission was of such a novel character that there might have been cases where great difference of opinion arose; but he believed that as the business of the Commission advanced the confidence the public would repose in it would become greater and greater.

MR. W. H. SMITH said, the right hon. Gentleman (Mr. Childers) had said that the majority of the House and the majority of the Irish people had perfect confidence in the Land Commission, and on a question of such importance, no doubt, the Committee would desire to act fairly. There were two sides to this question—the landlord's side and the tenant's side—and he thought it could not be contended that the landlords of Ireland had that confidence in the Land Commission which the right hon. Gentleman had expressed, and which he had claimed for it on behalf of the House. There was one question which struck him (Mr. W. H. Smith) as extremely important. The right hon. Gentleman said the Land Commission was especially qualified to deal with this question, because it was a question affecting the land. Well, he (Mr. W. H. Smith) could not himself see that it was a land question. The question to be decided was whether the tenant was or was not able to pay the rent due, and that was a question eminently fitted for reference to a judicial person who was accustomed to try cases where debts were claimed, and where payment of debts was refused. He apprehended that never in the history of England or of Ireland had a question of greater difficulty been placed before any set of men than that of deciding whether the rent claimed from a tenant could or could not be paid. Anyone who had any knowledge of the facts of the case must know the extreme difficulty of deciding the question. Well, should the body who would have to decide the question decide it on political grounds and popular grounds, or judicially, as a matter of right or wrong? If the question were to be decided judicially, then the officials to be entrusted with the duty of administering the Act should be selected from a judicial point of view; and then, he could not help thinking, the Amendment of his right hon. Friend was a just and proper one. How did the Government propose that the 150,000 or 200,000 cases that would have to be disposed of within a reasonable time should be dealt with? If the measure was to be a success from any point of view, the steps taken should be such as would enable the cases which arose under it to be disposed of within a few months; for to allow their settlement to hang over for months, and perhaps years, would be to inflict the greatest possible amount of trouble and disorder on Ireland. By what kind of means did the Government propose to examine into the capacity of 150,000 tenants to pay their arrears of rent? Everybody knew that the difficulty which would prevail in Ireland would be a difficulty infinitely greater than anything that could prevail in England. The habits and customs of the people were such that it would be enormously difficult to rightly and properly decide a question of this kind. There was not only the interest of the tenant to be considered, but there was also the interest of the landlord and the interest of the estate to be borne in mind. All these conditions were such as seemed to require from the Government a statement of a definite course—an idea of the means by which a decision in each particular case would be arrived at within a limited period of time.

Mr. GLADSTONE said, the right hon. Gentleman had put a question which was clearly out of place, the subject of it having no connection whatever with this Amendment. The question before the Committee was simply one of constituting the central authority. When they came to the 5th clause, the right hon. Gentleman would be entitled to call on the Government to show whether they had adopted the best means for providing instruments for the administration of the Act, whether those instruments ought not to be manifold, and whether the proceedings to be taken ought not to be expedited. The Government would be prepared to show that they had made provision for the greatest number of instruments that would be at all competent to do the work. But the question now under discussion was the selection of a central authority, and that central authority the Amendment which had been moved would destroy altogether, setting up in its place some 30 County Court Judges. Surely that, upon reflection, could hardly commend itself to the right hon. Gentleman (Mr. Lowther). There was an argument which would have to be considered when the proper time came—an argument with reference to the Land Commission. It was said that it was at present full of work, and, that being so, it would be a legitimate matter for discussion whether the Land Commission should not be strengthened. The question might be very reasonably raised, although he might say that the Land Commissioners themselves entertained no doubt whatever of their capacity to deal with this Bill; and, for his own part, he believed that body would be better qualified than any authority they could select to perform the duties.

Mr. J. LOWTHER said, the Question which was put by the Chairman was, whether the words "Irish Land Commission" should be omitted. If the Committee thought the Bankruptcy Court in Dublin would be a better tribunal than the County Court Judges to substitute, he would have no objection to accept the alteration. He was quite in the hands of the Committee on the point; but the right hon. Gentleman the Secretary of State for War (Mr. Childers) was quite wrong in thinking that the present Amendment would be more properly moved on the 5th clause. He was sorry if he had not made his meaning clear, but it was that the Committee would not be justified in laying the duties of the central authority on the shoulders of the Land Commission, which was constituted in a one-sided manner—which had, in his opinion, generally failed satisfactorily to discharge the duties laid upon it, and which was notoriously overworked. It was stated that it would take many years for the Commission to perform the duties that now devolved upon it; and he considered the Committee would be unwise to cast further duties upon it.

MR. CHILDERS said, the right hon. Gentleman had at first proposed to substitute the County Court Judges for the Land Commission; but having found that it would be impossible to do that, he said—"Well, put in whom you please—I don't mind; but I object to the Land Commission." He (Mr. Childers) contended that it was the duty of the right hon. Gentleman to make a specific proposal, if he thought it desirable to move an Amendment at all, and not to leave it to chance for an acceptable authority to be selected. The Government said the Land Commission was the best authority, and they adhered to the proposal of the Bill.

SIR STAFFORD NORTHCOTE said, the right hon. Gentleman (Mr. Childers) seemed to forget on whom the burden of proof lay. The Government made a proposal, the right hon. Gentleman (Mr. Lowther) objected to that proposal, and had called upon the Committee to consider what should be suggested in its place. It was the part of the Opposition, as critics of the Bill, to say whether they were satisfied or not with the proposal of the Government. It would be impossible to put off the discussion, because if they allowed the Land Commission to be named in the 1st clause, there would be no opportunity for amendment subsequently. The most reasonable course would be to strike out the words objected to, and substitute something of this kind—"tribunal appointed by this Act." That would leave the matter open for settlement when they came to the 5th clause.

MR. GLADSTONE said, the Government could not adopt that suggestion, as they were distinctly of opinion that the Land Commission would be by far the best qualified tribunal.

MR. HEALY said, he should like to point out that the Tories appeared to have very short memories. It was only that day that the hon. Member for West Surrey (Mr. Brodrick) had brought forward an accusation against Irish County Court Judges, suggesting, by implication, that those functionaries knew nothing about the Land Question. Now, however, the Front Opposition Bench wanted to take away jurisdiction from the Land Commission in a matter connected with the land, and confer it upon the County Court Judges.

Question put.

The Committee *divided*:—Ayes 249; Noes 177: Majority 72.—(Div. List, No. 245.)

LORD GEORGE HAMILTON said, the Sub-sections (*a*), (*b*), and (*c*) dealt with the conditions with which the tenant would have to comply before coming under the operation of the Bill. The Prime Minister, when introducing the Bill, stated that the intention of the Government was that the tenant who was in arrear should pay one year's rent before he could apply to the Land Commission; and then, after a certain investigation, a portion of the remainder of the arrears was to be paid by the State to the landlord, and that none of the landlords was to get more than one year of arrears, no matter what the amount might be. He had no doubt the Prime Minister wished to adhere to the letter of the undertaking, or rather the arrangement, which he had laid before the House; but he proposed to move an Amendment which would strike out the 1st sub-section of Clause 1, and he believed he should be able to give good and cogent reasons for his proposal, which would not make any difference in the conditions; it was only intended to simplify the Bill, and to remove two sub-sections which were ambiguous and unintelligible. This Bill was very complicated in its provisions, and, therefore, he thought the conditions should be made as simple as possible.

Sub-section (*a*) of Clause 1, and Sub-suction 3 should be read together. The tenant was to pay the rent payable in respect of a yearly tenancy

> "Expiring on the last gale day of the tenancy in the year one thousand eight hundred and eighty-one (which year of the tenancy is in this Act referred to as 'the year expiring as aforesaid') has been satisfied," &c.

Then Sub-section 3 provided that all payments which were made on account of rent by a tenant

> "In or subsequent to the year expiring as aforesaid, shall be deemed to have been made on account of the rent payable in respect of that year."

These conditions seemed to him very exceptional, and he could not understand what was meant. He imagined the object of the Prime Minister in inserting Sub-section (*a*) was to recognize the obligation of the tenants to pay rent, and to enable tenants coming under this Act to repudiate the "no rent" manifesto. It was, however, perfectly clear that any tenant who paid rent, whether with reference to the year 1881, or any other year, equally repudiated the "no rent" manifesto. Therefore, he could not understand why the Act was complicated by these sub-sections. Those conditions brought the Act into collision with one of the most difficult things to settle—namely, the running of the hanging gale. What he proposed was to leave out after "that the" to end of sub-section, and insert—

> "That a year's rent, or the equivalent thereto, has been paid on behalf of the holding during the twelve months expiring on the thirtieth day of November, one thousand eight hundred and eighty-two, and."

Then he should propose to strike out Sub-section 3, and that would make it clear to every tenant that if he wanted to come under the Bill he must, by a certain day, pay a year's rent. As the Bill stood, that was not compulsory on the tenant. He was sure that it was the intention of the House that the Bill should be effectual as to arrears, and it was quite possible that any tenant whose arrears were cleared off under this Bill would start afresh with two and a-half years' arrears, because he was not bound to pay at the date of his application—not until the case came on, and the last date at which he could make his application was the last day of February, 1883; and that date might be extended, in some cases, to the 30th of June, 1883. He would take the most sanguine view of the time by which the work could be done by the Courts, and he believed that the last application would not be settled until a year after being lodged; and, therefore, tenants would be coming up in 1884 with reference to arrears due in 1881. They need not have paid any rent between 1881 and 1884; and if the unhappy landlords in the meantime, getting neither arrears in 1881 nor rent subsequently due, proposed to evict the tenants, some astute gentleman on the part of the tenant farmers would probably ask the Ministry of the day if it was not true that the landlords were trying to make evictions contrary to the intentions of the Arrears Act? He thought that was likely to occur, but that such a difficulty would be obviated if his Amendment was adopted. He was not particular about the words; he wanted to lay down the principle that a year's rent must be paid by a certain date, and that such payment should not have reference to any particular year—that was to say, that when that amount was paid, all the arrears due up to the date mentioned in the Bill were to be cleared off. The only difference between his proposal and that of the Government was this—in each case a year's rent would have to be paid by the tenant, and the maximum would be one year; he proposed to make that payable by a certain date with reference to the year to which it belonged, and not to any particular year; and in that way he would avoid difficulties which were raised by the sub-section. He did not know whether he had made his point quite clear; but, if not, then he would state it in another way. If the right hon. Gentleman (Mr. Childers) understood it, it would not be necessary to go into further detail, and he would simply move the Amendment.

Amendment proposed,

In page 1, line 14, to leave out after the words "that the" to end of sub-section, and insert the words "That a year's rent, or the equivalent thereto, has been paid on behalf of the holding during the twelve months expiring on the thirtieth day of November, one thousand eight hundred and eighty-two, and."—(*Lord George Hamilton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHILDERS said, he thought he understood the noble Lord's meaning; but, at the same time, he did not think the words proposed would carry out that meaning. Sub-section (*a*) and Sub-section 3 were very long, and possibly not very clear; but the fact was, the whole of the arrangements in connection with the hanging gale were by no means clear, and it was impossible to express what was meant in fewer words than were inserted in the Bill. What was really meant by the Government was, that the rent due in respect of 1881 should be paid, whether the year ended in September or November, and whether the hanging gale was three or six months, or one year. That was the reason why it was necessary to employ these terms; but if it was possible to express to the tenants of Ireland in fewer words what was intended, the Law Officers of the Crown would be very glad to do so. The real object, however, was, as the noble Lord had put it, that the amount due for 1881 should have been paid. The noble Lord proposed, in order to make matters clear, to substitute—

> "That a year's rent, or the equivalent thereto, has been paid on behalf of the holding during the twelve months expiring on the thirtieth day of November, one thousand eight hundred and eighty-two, and."

That meant that if a year's rent was paid on the 29th of November the provisions of the Bill would be satisfied. That was clearly out of the question, as it did not require that it should be rent for the year 1881; and, inasmuch as the words of the clause expressed that intention more clearly than the words proposed by the noble Lord, he hoped the Committee would not accept the Amendment. The statement in the Bill was perfectly simple, and, as at present advised, the Government thought it was clear enough. The noble Lord said that the Bill did not provide that the rent should be paid in respect of one year; but the Bill, in fact, provided that the rent should be expressly so paid.

MR. SCLATER-BOOTH observed that the noble Lord, in his Amendment, had adopted the words "rent paid," instead of "rent satisfied." There was a great deal of difference between these two expressions. Both the noble Lord and the right hon. Gentleman (Mr. Childers) demanded that the rent should have been paid, and if an amount due was compounded, it was evident that by the sub-section a remission of rent was to be satisfaction of rent—in other words, it was to be no rent at all. On the second reading of the Bill the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) expressed gratification at the prospect that the payments would be collusive rents; that meant no rent at all, because the landlord and the tenant would come together and make an arrangement by which the landlord would get a sum of money from the public funds without any money having been paid by the tenant. If the rent was to be paid, let the word "paid" be substituted for "satisfied."

MR. GIBSON said, the statement of the right hon. Gentleman was more satisfactory than what he should have conceived to be a clear construction of the Bill. His noble Friend had done good service in giving attention to this matter, whether the actual words proposed were inserted or not. The Government only proposed that the rent should be paid up to the last gale day of 1881, leaving nearly a year's rent, which would have accrued before the Bill came into operation. He did not think that was a wise way of beginning to work an Arrears Bill. They proposed to stand upon their own figure, and, as he understood, proposed that a year's rent due in 1881 was to be paid or satisfied—that was to say, the payment was to be made in and for that year, and it was to be either by cash payment or made up of two gale days, which, according to custom, would be taken to satisfy the rent, subject to deductions in which the landlord might acquiesce in respect of that year. Assuming that to be the intention, that was not the construction of the Bill, because Sub-sections 3 and 4 must be read in connection with the sub-section now before the Committee, and they had caused an immense amount of apprehension. The words of the sub-section were far more susceptible of misconstruction than the statement of the right hon. Gentleman. The words were—

> "All payments on account of rent made by the tenant to the landlord in or subsequent to the year expiring as aforesaid, shall be deemed to have been made on account of the rent payable in respect of that year."

Although the rent might have been otherwise arranged, the Act would come in and break through the receipt and disturb any deliberate appropriation between the landlord and the tenant, although in view of bad seasons in 1879 and 1880, the landlord might have consented to accept 50 per cent, and cried quits with the tenant for the rest of the rent. That had happened in very many cases, and how was it to be dealt with in view of the Bill and of the right hon. Gentleman's statement? It would have no bearing on the construction of the Bill, because such a payment was not a payment for and on behalf of the year 1881. That was the view of the right hon. Gentleman; but that was not the construction of the Bill, because the Bill said that, although a rebate and remission should have been made for 1879, if money was paid in 1881, it would have been deemed to have been paid contrary to the then intention of the parties, while Sub-section 4 said the remission made in respect of 1879 should be regarded as having been made in respect of the year expiring on the last gale day of 1881. It was obvious that the drafting of the sub-section upset the intention of the Government as stated by the right hon. Gentleman.

Mr. BRODRICK pointed out that the noble Lord's Amendment raised one point which had not caught the attention of the Government. If payment was admitted in respect of this year, that would broaden the scope of the Bill, and increase the amount of the money to be paid by the Government. If that was so, although he fully sympathized with the proposal as to the date of application, he did not think the Amendment could be carried out.

Mr. GORST said, the first thing necessary was to understand what the Government intended, and having learnt that, the Committee could consider what words would carry it out. He thought the extent of the proposal of the Government was that a tenant should, before coming under the Bill at all, evince his honesty by paying a year's rent, which, in the opinion of the Government, he was able to pay. According to the Bill as it now stood, that test year for which the tenant was to pay was to be 1881. The ground the Government took up in the Bill of last year was thus shifted, because in that Bill they had a test year which was not 1881, but the year which expired on the last gale day before the Act of 1881; that would be half-a-year in advance, the year expiring in May, 1881. So that last year it was the opinion of the Government that the tenants were able to pay rent which began in 1880 and ended in May, 1881. This year, however, they had shifted their ground, and the only year for which they required the tenant to pay was the year beginning in November, 1880, and ending in November, 1881. He thought it right the Committee should know why this year the Government adopted 1881 as the test year, while last year they took half of 1880 and half of 1881. So far as he could understand the Amendment it would aggravate the mischief of the Bill, and make the year for which the tenant was to pay rent, not 1881, which the Government selected, but the year 1882; and the year 1881, in which, according to the Government, the tenant should pay rent, was thrown into the arrears. He differed from his hon. Friend the Member for West Surrey (Mr. Brodrick) as to the charge being aggravated as the Bill stood, because the total amount the landlord was to recover was limited. The charge on the Church Surplus Fund or the Consolidated Fund would not be aggravated; but the loss of the unhappy landlord would be aggravated, because, instead of getting 1881 paid and half the antecedent arrears and half 1882, he would get only the rent for 1882 and half the antecedent arrears. That would involve a gross injustice to the landlord.

Mr. HEALY said, it seemed to him that the Conservative Party were endeavouring to support the Amendment by arguments other than those in their own minds. The Amendment meant that the tenant must pay the rent of 1882, and in the meantime the landlord was to have the full right to evict a tenant for the whole rent; that was the meaning of the noble Lord's Amendment, and it was carefully concealed. If the noble Lord's speech had not been understood it was because he did not wish it to be understood. The Amendment was still worse than the clause, because it deferred the application of this Bill to November 30th. The Government gave time up to February for the applications to be made; but the noble Lord insidiously proposed that unless a tenant had paid rent due on the 30th November he should not have the benefit of the year. Nothing more preposterous in the interests of the landlord had been put forward than this Amendment.

LORD GEORGE HAMILTON said, it was easy for the hon. Member for Wexford to say that he had not spoken what he meant, and that the Amendment was impossible; but the Amendment was perfectly clear. Everybody knew that six months' grace was allowed for the payment of rent in Ireland, and what he proposed was that the tenant must pay a year's rent by the end of November, 1882. Then, the tenant having paid this year's rent, arrears up to November, 1881, would be wiped off. This Bill dealt with arrears of rent up to the last gale day of 1881, and his Amendment was that a year's rent during the year ending on November 30, 1882, should be paid in reference to these arrears. His contention was that the year's rent which was payable under the Bill by the tenant should be paid by a certain date, and should not be credited to one particular year, and in that way Subsection 3 and its complications would be got rid of. He would not, however, press the Amendment; but when the end of the sub-section was reached he would propose an addition to carry out his idea.

MR. GORST asked the noble Lord whether these words would express what he meant—

"That a year's rent, or the equivalent thereto, in respect of the year expiring on the last gale day of 1881, shall have been paid."

Amendment, by leave, *withdrawn.*

MR. BRODRICK said, he thought there would be no difficulty in understanding his Amendment, but he would endeavour to explain it in a few words. His intention was distinctly to provide for that time during which at present no rent was payable. At the present moment the rent was to be satisfied up to November, 1881. What position did that leave the matter in? If no application was made in respect to the Bill until February next year, there would then be two gales due. If the Land Commission exercised their discretion and put off the application to June next year, there would then be three gales due, and he wished to put it to the Government whether that would not defeat the whole object of the Bill? He thought the Government could not ask the Committee to vote money for the settlement of arrears if such a sore as that was left open. When the Bill was introduced, he was much struck by a letter which the Prime Minister read from an Irish landlord, which said that until applications had been settled no rent could be paid. Until the tenant had been before the Court and obtained a decision as to what sum he should receive it would be impossible to extract money from him. With regard to the time, he had fixed the gales at two or three, because a great deal had been heard about the time it would take for the Land Commission to settle the applications, and if the Commission were allowed even six months to get through the work, the Government must be prepared to find another gale due. He believed it would be a kindness to the tenant at this moment to insist upon any settlement being a complete settlement. The landlords were making a sacrifice of antecedent arrears; the Government sacrificed a year's rent; and the tenant himself would pay a year's rent. He did not wish to bring into the argument any suggestion as to the Bill being introduced against the interests of the landlords, and he objected to gales being allowed to remain over; and if the Government allowed that, and forced the Committee to accept the Bill in its present condition, leaving this enormous unpaid liability to accrue, that would lead to demoralization, and he was convinced that the same state of things would again occur, and that if rents got into arrears from November, 1881, the strongest arguments would be used against the landlords if they took advantage of the Bill.

Amendment proposed,

In page 1, line 14, to leave out from the word "year," to the word "satisfied," in line 18, and insert the words, "tenancy since the last gale day of the tenancy, in the year one thousand eight hundred and eighty, has been satisfied up to the date of application."—(*Mr. Brodrick.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, the proposal amounted to this—In addition to the rent for the year ending 1881 there should be paid all the rent which should have accrued subsequently to that time, possibly the entire year of 1882.

Mr. BRODRICK: Except the hanging gale.

The SOLICITOR GENERAL for IRELAND (Mr. Porter) said, the Bill did not propose to deal with the rent subsequent to the last gale of 1881. As a matter of fact, where any gale existed—the last gale of 1881, say—it would not be admitted until June, 1882. Under these circumstances, the Bill did not intend to deal with the payment. It proposed to deal with no rent subsequent to 1881; but every tenant taking advantage of the Bill must have paid the rent of 1881, either by gale due or in some other way which was taken as payment. It did not propose to interfere with the interests of landlord or tenant in any subsequent gale. It was assumed that the crop of 1881 would have enabled the tenant to pay the rent of the subsequent years; but it was not intended to impose upon him more severe terms than the payment of the rent of 1881.

Sir MICHAEL HICKS-BEACH said, he thought there was something to be said against the arguments of the Solicitor General for Ireland. It was true the Bill did not propose to deal with any rent subsequent to 1881; but what was to be the position of the landland and the tenant with respect to such rent? The Prime Minister had stated the other day that since this Bill had been proposed there had been a considerable cessation of the payment of rent in Ireland. That rent was at the present moment rent due in June, 1882. Supposing a tenant, who was able to take advantage of the Bill by the payment of rent due for 1881, went before the Court, and, though being in a position to obtain the benefits of the Bill, was also in arrear for the first half of 1882 and continued in arrear for the second half, and perhaps even for the first half year of 1883, before his case was decided—what would be the position of landlord and tenant under those circumstances? Looking at the condition of things in Ireland, it could not be anticipated that that rent for the first half of 1882 and the subsequent gales would be regularly paid; but was the landlord to evict the tenant for not paying such rent? Then, what would be said of the cruel and unpatriotic conduct of the landlord if he did evict? An eviction for rent due subsequent to 1881 would absolutely prevent the tenant from deriving any benefit from this Bill, while at the same time he had fulfilled the conditions under which he was to obtain such benefits; on the other hand, if the landlord was not to evict, the tenant might go on without paying for three or four years.

Mr. GLADSTONE: We cannot undertake by this Bill to have a new system of rules and remedies to secure the payment of all rents without evictions. The argument of the right hon. Gentleman refers to the position of a landlord and tenant in respect to rents due for the period after November, 1881. That position is to be exactly the same in regard to that rent as it would be to other arrears. I grant there may be a period for which the Bill does not provide; but I do not think we can undertake to give this Bill such scope as that it shall secure the payment of all rents up to the period at which application may be made. What it does is this. We have at the present time before us a great number of tenants who are burdened, not only with the present rents, but with the past rents, and that load of past rents makes it impossible for them to cope with the present rents; and the purpose of this Bill is to relieve them of the load of past rents, so that then there may be reasonable hope of their being able to cope with the present rents. Consequently, I think there is no reason to anticipate the non-payment of those rents when they are relieved of the burden of past rents.

Mr. TREVELYAN said, hon. and right hon. Gentlemen would do him the justice to believe that he had never intentionally distorted any argument used by any hon. Member—he never had done any such thing, and he never would. He had tried to explain that the expression of his—an act of cruelty on the part of the landlords—to which reference had been made, referred to those landlords who had pressed their tenants for rents in 1877, 1878, and 1879—which he, rightly or wrongly, had described as very bad years—and had so deprived them of the advantage of the Land Act. He had never said that even in ordinary years, such as last year, the landlords had not had full moral as well as legal right to take advantage of any remedy they might have against the tenants who did not pay their rents.

MR. SYNAN said, he thought that if hon. Members had read the Amendment they would have found that it was just the same as the Bill. The Amendment proposed to leave out from the word "year," and insert—

> "Tenancy since the last gale day of the tenancy in the year one thousand eight hundred and eighty has been satisfied up to the date of application."

COLONEL NOLAN said, that, instead of paying one year, perhaps the tenant might have to pay one year and a-half before the 1st of November if this Amendment were adopted. The Committee were putting a pauperizing test, and were asking a man to pay this money when they admitted that he was very poor. A tenant would be able to pay a year's rent, because he would have made his arrangements for such payment; but he would not be able to pay a year and a-half.

MR. GORST said, he did not wish to keep the Committee from a division, but he wished to put a question to the Government which he had already asked, and which he thought he had a right to have answered. He wished to know why the Government had fixed on the year 1881, when, in connection with the Bill of last year, they thought the tenant was able to pay the rent of November, 1880, and of May, 1881? The provision of the Act of last year was an intelligible one, for the harvest had not been so satisfactory; but he could not say the same of the present provision. Why did they throw the rent, after a good harvest, into the arrears?

MR. MITCHELL HENRY said, the whole thing seemed to him to turn on the rapidity with which this section was put into operation. If the machinery the Committee provided for working the Act was sufficiently extensive and efficient, there could be no accumulation of rent since November, 1881. At present only one half-year's rent was due since November, 1881, which was the period with which this section dealt. It seemed to him that they might leave this point and take care to provide, when the time came, for working the Act.

MR. BRODRICK said, that, if this year happened to be a bad one, the Bill might prove to be absolutely useless. He wished to provide that the rent should have been not necessarily paid, but satisfied up to the date he mentioned in his Amendment. There should be an opportunity for an arrangement to have been made between the landlord and tenant.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, that the system in practice on many estates of having a hanging gale would project the rent six months beyond the last gale day of 1881, and would make some of the rent payable in 1882.

MR. GORST said, he wished to know why a different period had been taken in this Bill to that taken in the Bill of last year? They had been told that the reason was that the years which had been selected were those in which the tenants could pay their rents. Well, if a tenant could pay his rent last year, he could pay it this year.

MR. GLADSTONE said, the year 1881 had elapsed, and the Government thought the most convenient year to take was the full year elapsing last before the time of the passing of the Bill.

MR. J. LOWTHER said, he could not see why tenants were to have the benefit of the Act if they did not pay their rents during a good year.

Question put.

The Committee *divided*:—Ayes 187; Noes 124: Majority 63.—(Div. List, No. 246.)

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

PARTNERSHIPS (*re-committed*) BILL.

(*Mr. Monk, Mr. Gregory, Mr. Barran, Mr. Lewis Fry.*)

[BILL 179.] COMMITTEE.

[*Progress 29th June.*]

Bill *considered* in Committee.

(In the Committee.)

PART I.

Of Partners and their Liability and authority in respect of Partnership Dealings.

Clause 6 (Partnership defined).

Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. HORACE DAVEY moved to leave out Sub-section 2.

MR. MONK rose to Order, and said the Question was, "That the Clause, as amended, stand part of the Bill."

Captain AYLMER moved to report Progress, on the ground that it was impossible at that time of the night to deal with the Bill properly.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Captain Aylmer.*)

Mr. MONK said, this Bill had been re-committed so long ago as the 5th of June, and the only opportunity which a private Member had of bringing it on was at a late hour. If the hon. and gallant Member would allow the Bill to proceed, he (Mr. Monk) believed that it could be soon disposed of.

Mr. WARTON said, he thought the hon. Member for Gloucester (Mr. Monk) spoke in a very cheerful tone as to this Bill having been in Committee for a considerable time. The difficulty of the Bill was that it affected to be a complete Code, and yet it was not to affect all our commercial interests, and it could not be disposed of in this way.

Question put.

The Committee *divided* :—Ayes 41; Noes 53: Majority 12.—(Div. List, No. 247.)

Question again proposed.

Mr. A. J. BALFOUR said, he supposed, after the indication given by the division, the hon. Member (Mr. Monk) would not proceed. The hon. Member must be aware that the real sense of the Committee was entirely opposed to going on with the Bill now; and he would, therefore, propose that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. A. J. Balfour.*)

Mr. GORST urged the postponement of the Bill, especially as the Chairman had not the assistance of the Law Officers of the Crown. It was clear that a Bill of this kind was not one with which the Committee could safely proceed without the assistance of the Law Officers, and he felt sure the hon. Member would not proceed.

Mr. CHAMBERLAIN said, he did not think his hon. Friend would think it wise to proceed, in view of what was the evident sense of a considerable portion of the Committee. At the same time, he thought the hon. Member was entitled to some sympathy, as he had always been met by proposals for reporting Progress or leaving the Chair.

Mr. A. J. BALFOUR said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Question again proposed.

Mr. T. C. BARING protested against allowing the Bill to go on at such a late hour. This Bill affected the whole of the commercial interests of the country, and it was wrong to proceed with it under these circumstances.

Mr. MONK appealed to the Committee to agree to allow him to go on with the Bill on another night, if not now. He would put it down for to-night; and he would remind hon. Members that this Bill had gone through a Select Committee of the House, and had been carefully considered by distinguished lawyers, and by the President of the Board of Trade, who was perfectly prepared to go on with it now. Although Progress had been moved from the other side of the House, the hon. Members for Liverpool (Mr. Whitley) and Preston (Mr. Ecroyd) had both urged him to go on with the Bill. Under present circumstances he should not proceed, but would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Monk.*)

Mr. STUART-WORTLEY said, he thought one reason why hon. Members objected to the Bill was that it was condemned by far higher authorities than those who sat on the Select Committee.

Mr. WHITLEY said, the Bill had been carefully considered, and had the approval of the commercial community generally. He was certain it had the approval of the community which he represented (Liverpool), and he believed, also, every other commercial community of importance in the United Kingdom. He had not yet heard any definite objection to the Bill, and he hoped the Committee would consent to go on with it.

Sir JOHN LUBBOCK said, he believed the Bill had the approval of Mr. Justice Lindley, who was, perhaps, the highest authority that could be mentioned on this subject. If hon. Members would now consider the proposed Amendments they would see that they were principally on points of detail. He regretted the absence of the Law Officers; but if they could not be present, the Committee must do the best it could without them. He thought that after so much trouble had been taken, and so many Members had sat up night after night in order to take this Bill, it was a little hard for hon. Members who did not care very much about it to come and raise objections. He hoped, at all events, that on some occasion the Bill might be proceeded with.

Mr. ECROYD said, he was a Member of the Select Committee which examined this Bill, and he believed it was one of considerable importance to the commercial community, and would enable men of business to understand more clearly what the Law of Partnership was.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

LUNACY REGULATION AMENDMENT BILL.—[*Lords.*]—[Bill 230.]

(*Mr. Hibbert.*)

SECOND READING.

Order for Second Reading read.

Mr. HIBBERT, in moving that the Bill be now read a second time, said, it proposed to make two alterations in the present law with regard to asylums. One proposal was to empower the Lord Chancellor to deal with properties of £2,000, instead of £1,000, as under the present law, and the other was to restrict the number of visits to lunatics in private asylums. At the present time the Visitors visited these asylums four times a-year, and that number of visits was found to be unnecessary, as in such cases the lunatics were mostly under the care of relatives or friends; and the Lord Chancellor had suggested that, if the law were altered in this way, it might be possible to visit all the lunatics under the Lord Chancellor at least twice a-year, instead of only once. In that way both public and private lunatic asylums would be visited twice a-year.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hibbert.*)

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

WAYS AND MEANS.

CONSOLIDATED FUND (NO. 4) BILL.

Resolution [July 7] *reported,* and *agreed to:* —Bill *ordered* to be brought in by Mr. Playfair, Mr. Chancellor of the Exchequer, and Mr. Courtney.

Bill *presented,* and read the first time.

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Bill *presented,* and read the first time. [Bill 233.]

PASSENGER VESSELS LICENCES (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to Licences to retail Intoxicating Liquors on Passenger Vessels in Scotland.

Resolution *reported:* — Bill *ordered* to be brought in by The Lord Advocate and Mr. Solicitor General for Scotland.

Bill *presented,* and read the first time. [Bill 234.]

House adjourned at Two o'clock.

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Moved, "That there be laid before this House, copy of any public correspondence which has passed between Sir Edward Malet and Sir Auckland Colvin and Mr. Wilfred Blunt" (*The Lord Lamington*) *June* 26, 372; after short debate, Motion withdrawn

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The Riots at Alexandria, Questions, Mr. M'Coan, Mr. Gibson, Mr. Chaplin, Mr. Bourke, Sir George Campbell, Sir Walter B. Barttelot, Mr. G. W. Elliot, Mr. Ashmead-Bartlett, Sir Stafford Northcote, Mr. J. Lowther, Lord Eustace Cecil, Baron Henry De Worms; Answers, Sir Charles W. Dilke, Mr. Gladstone *June* 23, 193; Question, Mr. Joseph Cowen; Answer, Sir Charles W. Dilke *July* 6, 1626; Questions, Mr. O'Kelly, Mr. Ashmead-Bartlett, Mr. Mac Iver, Mr. Onslow, Sir Stafford Northcote, Sir Wilfrid Lawson; Answers, Sir Charles W. Dilke, The Chancellor of the Exchequer *July* 7, 1786

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William Kennedy, Question, Mr. Molloy; Answer, Mr. Trevelyan *July* 10, 1944

Mr. Edward Jennings, Question, Mr. Healy; Answer, Mr. Trevelyan *July* 10, 1948

Patrick Kavanagh, Question, Mr. Biggar; Answer, Mr. Trevelyan *July* 10, 1949

Mr. Patrick C. Kelly, Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan *July* 10, 1958

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Arms Licences, Questions, Mr. Dillon; Answers, Mr. Trevelyan *June* 22, 23; *June* 26, 394

Edward and Daniel Flanagan, Question, Mr. Sexton; Answer, Mr. Trevelyan *July* 3, 1239

Ireland, State of (Munster and Connaught)

Moved, "That an humble Address be presented to Her Majesty for the appointment of a Royal Commission to investigate the social condition of the Provinces of Munster and Connaught" (*The Lord Waveney*) *June* 23, 170; after short debate, Motion withdrawn

Ireland—The Church Temporalities Commission — Arrears of Rent and Interest

Moved for, "Return of the amount of arrears of rent and interest due to the Church Temporalities Commission" (*The Lord Stanley of Alderley*) *June* 26, 358; after short debate, Motion agreed to

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MISCELLANEOUS QUESTIONS

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Applications for Fixing a Fair Rent in Co. Londonderry, Question, Mr. T. A. Dickson; Answer, Mr. Trevelyan *June* 22, 74

Arrears of Rent (Ireland) Bill, Question, Mr. P. Martin; Answer, Mr. Trevelyan *June* 30, 918

Cases Settled by Agreement, Question, Mr. Chaplin; Answer, Mr. Trevelyan *July* 6, 1608

Assistant Commissioners Acting as Judges in the Districts of their Residence, &c., Questions, Mr. Gibson; Answers, Mr. Trevelyan *June* 30, 915

The Commissioners at Castlebar, Questions, Mr. Tottenham; Answers, Mr. Trevelyan *June* 30, 926

Mr. Thomas Meek, Sub-Commissioner, Questions, Mr. Tottenham, Mr. J. Lowther, Mr. Warton; Answers, Mr. Trevelyan *June* 30, 922; Question, Mr. Fitz-Patrick; Answer, Mr. Trevelyan; Questions, Mr. Gibson, Mr. Healy, Mr. Tottenham; [No answers] *July* 6, 1612; Questions, Mr. Fitz-Patrick, Mr. Healy; Answers, Mr. Trevelyan *July* 10, 1952

Mr. Wylie, Sub-Commissioner, Question, Mr. Brodrick; Answer, Mr. Trevelyan *July* 3, 1253

Mr. John George M'Carthy, Sub-Commissioner, Questions, Mr. Plunket, Colonel Colthurst; Answers, Mr. Trevelyan *July* 7, 1776

Appointment of Official Valuers, Notice, Mr. Tottenham; Question, Mr. T. P. O'Connor; Answer, Mr. Speaker *June* 30, 937

Official Valuer—Mr. George M'Ilroy, Questions, Sir Hervey Bruce, Mr. Fitz-Patrick; Answers, Mr. Trevelyan *July* 7, 1780

The Land Courts Returns, Question, Mr. Chaplin; Answer, The Attorney General for Ireland *July* 5, 1513

The Court of Appeal

Constitution of the Court, Question, Mr. Gibson; Answer, Mr. Gladstone *July* 3, 1258; Questions, Mr. Gibson, Mr. Tottenham; Answers, Mr. Gladstone *July* 6, 1615

"*Owen* v. *Day*," Question, Mr. Fitz-Patrick; Answer, The Attorney General for Ireland *July* 3, 1241; Questions, Mr. Fitz-Patrick, Mr. Arthur O'Connor; Answers, The Attorney General for Ireland *July* 6, 1610

Sittings of the Court, Question, Mr. J. N. Richardson; Answer, Mr. Trevelyan *June* 27, 537

The Land Law (Ireland) Act, 1881—*Secs.* 44, 47 *and* 48, Observations, Question, The Earl of Longford; Answer, Lord Carlingford; Observations, The Marquess of Waterford *July* 3, 1232

Irish Land Commission—Appeals from Decisions of the Sub-Commissioners

Moved for, "Numerical return of appeals from decisions of Sub-Commissioners, heard before the Irish Land Commissioners up to 30th June 1882, showing the localities where the

[*cont*

Irish Land Commission—Appeals from Decisions of the Sub-Commissioners—cont.
appeals were heard, and the names of the Commissioners who heard the appeals upon each occasion; and similar return of appeals from decisions of Civil Bill Courts" (*The Earl of Longford*) *July* 7, 1770; after short debate, Motion agreed to

Irish Land Commission—The Sub-Commissioners—Judicial Rents
Moved, "That there be laid before this House, Return stating the number of cases in each district in which rents have been judicially fixed by the Irish Land Sub-Commissioners lower than the Government valuation; giving in each such case the valuation (1) with, and (2) without buildings, and the judicial rent fixed" (*The Viscount Lifford*) *July* 7, 1737; after debate, Motion withdrawn

Jamaica—The Seizure of the "Florence"—The Legislative Council
Question, Mr. Serjeant Simon; Answer, Mr. Evelyn Ashley *July* 6, 1590

James, Sir H. (*see* Attorney General, The)

James, Mr. W. H., *Gateshead*
Metropolis—The Parks—Enclosure at York Gate, Regent's Park, 917
Metropolitan Board of Works (Money), Comm. 671

Jenkins, Sir J., *Carmarthen, &c.*
Post Office—North of England and the Welsh Mails, 778

Jerningham, Mr. H. E. H., *Berwick-on-Tweed*
Prevention of Crime (Ireland), 3R. 1864

Johnson, Right Hon. W. M. (Attorney General for Ireland), *Mallow*
Arrears of Rent (Ireland), Comm. *cl.* 1, 1973, 1974, 1978, 1982, 1983
Ireland—Miscellaneous Questions
Evictions, 1514
Land Law Act, 1881—Commissioners Court—"Owen *v.* Day," 1241, 1611, 1612
Law and Justice—Appointment of Crown Prosecutor for Cork, 1608;—Revision of the Irish Statutes, 1255
Poor Law—James Callaghan, Castlerea Union, 770
Prisons—Kilross Riots—Thomas Russell, 1382
Prevention of Crime (Ireland), Comm. *cl.* 12, 214, 215, 216, 217, 228, 258; *cl.* 14, 551, 552, 554, 557, 558, 562, 565, 566, 568, 577; *cl.* 15, 627, 628, 631, 634, 635, 636, 637, 655, 657; *cl.* 16, 782, 806, 807, 832, 881, 893; *cl.* 17, 1033, 1035, 1038, 1079, 1085, 1086, 1087, 1088, 1089; *cl.* 18, 1162; *add. cl.* 1325, 1401, 1402, 1407, 1408;

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l. Read 2ª, after short debate *June* 22, 11 (No. 110)

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(*The Lord Bramwell*)
l. Committee *June* 30, 900 (No. 112)
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Labourers' Cottages and Allotments (Ireland) Bill
(*Mr. Villiers Stuart, Sir Patrick O'Brien, Sir Hervey Bruce, Colonel Colthurst, Mr. Blake, Mr. O'Sullivan*)
c. Read 2°* *July* 5 [Bill 212]

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Lalor, Mr. R., *Queen's Co.*
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(*Lord Rosebery*)
l. Committee * ; Report *June* 22 (No. 131)
Read 3ª * *June* 23
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Land Law (Ireland) Act, 1881
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Clause 8—"*M'Garry* v. *The Earl of Granard,*" Questions, Mr. Healy; Answers, Mr. Trevelyan *July* 10, 1958
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Local Government Provisional Orders (Artizans' and Labourers' Dwellings) Bill (*Lord Carrington*)
l. Read 3ª * *June* 22 (No. 121)
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Local Government Provisional Orders (No. 2) Bill (*Lord Carrington*)
l. Committee *; Report *June* 22 (No. 134)
Read 3ª *June* 23
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Local Government Provisional Orders (No. 3) Bill (*Lord Carrington*)
l. Committee *; Report *June* 22 (No. 122)
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Local Government Provisional Orders (No. 4) Bill (*Lord Carrington*)
l. Committee *; Report *June* 23 (No. 150)
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Local Government Provisional Orders (No. 5) Bill (*Mr. Hibbert, Mr. Dodson*)
c. Read 3° * *June* 22 [Bill 160]
l. Read 1ª * (*Lord Carrington*) *June* 23
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Local Government Provisional Orders (No. 6) Bill (*Lord Carrington*)
l. Committee *; Report *June* 22 (No. 135)
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l. Committee *; Report *June* 23 (No. 145)
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Local Government Provisional Orders (No. 8) Bill (*Lord Carrington*)
l. Committee * *June* 27 (No. 146)
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l. Committee * *June* 30 (No. 147)
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l. Committee *; Report *June* 22 (No. 136)
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l. Committee *; Report *June* 30 (No. 152)
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Local Government (Ireland) Provisional Orders (No. 2) Bill (*The Lord Carlingford*)
l. Committee *; Report *June* 22 (No. 132)
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Local Government (Ireland) Provisional Orders (No. 3) Bill (*The Lord Carlingford*)
l. Committee *; Report *June* 22 (No. 133)
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Local Government (Ireland) Provisional Order (No. 4) Bill (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Report * *June* 26 [Bill 173]
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l. Read 1ª * (*The Lord Privy Seal*) *June* 29
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Local Government (Ireland) Provisional Orders (No. 5) Bill (*The Lord Carlingford*)
l. Committee *; Report *June* 27 (No. 153)
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l. Committee put off, after short debate *June* 22, 16 (No. 117)
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Lunacy Regulation Amendment Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª * *June* 23 (No. 160)
Read 2ª * *June* 27
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c. Read 1° * (*Mr. Hibbert*) *July* 7 [Bill 230]
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MACARTNEY, Mr. J. W. E., *Tyrone*
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M'CARTHY, Mr. Justin, *Longford*
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McGarel-Hogg, Sir J. M., *Truro*
- London River-side Fish Market — Lords Amendts. Consid. 1933
- Metropolis — Thames Embankment Opera House, 1238
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- Prevention of Crime (Ireland), Comm. *cl.* 17, 1027, 1028 ; *add. cl.* 1493
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Mac Iver, Mr. D., *Birkenhead*
- Arrears of Rent (Ireland), Comm. 1657, 1658 ; *cl.* 1, 2031
- Egypt (Political Affairs)—Miscellaneous Questions
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- Prevention of Crime (Ireland), Comm. *cl.* 14, 598 ; *cl.* 16, 800, 803, 889 ; *cl.* 17, 961 ; *cl.* 20, 1133, 1186, 1187, 1188 ; *cl.* 30, 1210

Mackintosh, Mr. C. Fraser-, *Inverness, &c.*
- Fisheries (Scotland)—Illegal Seizure—H.M.S. "Jackal," 1938

Macliver, Mr. P. S., *Plymouth*
- Navy Estimates — Seamen and Marines, Victuals and Clothing for, 493
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Magniac, Mr. C., *Bedford*
- Parliament—Privilege—Suspension of Irish Members, 1270
- Prevention of Crime (Ireland), Comm. *cl.* 17, 982, 1037 ; *add. cl.* 1344
- Ways and Means, Comm. Res. 1727, 1731, 1732

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- Africa (South)—Cetewayo, Ex-King of Zululand—Visit to this Country, 401
- Navy Estimates — Seamen and Marines, Victuals and Clothing for, 475
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- Prevention of Crime (Ireland), Comm. *cl.* 16, 871 ; *add. cl.* 1328, 1348, 1493 ; 3R. 1856

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- Question, Mr. Mac Iver ; Answer, Mr. Childers *July* 10, 1956

Marjoribanks, Hon. E., *Berwickshire*
- Prevention of Crime (Ireland), 3R. 1863

Marriott, Mr. W. T., *Brighton*
- London River-side Fish Market — Lords Amendts. Consid. 1928

Martin, Mr. P., *Kilkenny Co.*
- Arrears of Rent (Ireland), Comm. *cl.* 1, 1975
- Ireland — Endowed Schools — The Swords Borough School, 1603
  - Irish Land Commission—Arrears of Rent Bill, 918
- Prevention of Crime (Ireland), Comm. *cl.* 12, 79 ; *cl.* 13, 306, 323 ; *cl.* 15, 613, 615, 632, 703, 704 ; *cl.* 16, 804 ; Amendt. 822, 826, 833, 835, 836, 839, 880, 881 ; *cl.* 18, 1165 ; *add. cl.* 1425, 1450, 1479, 1482, 1504

Martin, Mr. R. Biddulph, *Tewkesbury*
- Postal Telegraph Service, Res. 432

Marum, Mr. E. P. M., *Kilkenny Co.*
- Prevention of Crime (Ireland), Comm. *cl.* 13, 313, 321 ; Motion for reporting Progress, 325 ; Amendt. 326, 327, 328, 329, 332, 334, 335, 341 ; *cl.* 14, 573, 581 ; *cl.* 15, 614, 623, 633 ; Amendt. 652, 654, 681, 699 ; *cl.* 16, 795, 810, 816, 818, 839 ; *cl.* 17, 989, 994, 1024, 1127

Maxwell, Sir H. E., *Wigton*
- Army Organization (Uniforms, &c.)—Head-dress of Highland Regiments, 1785
- Post Office (Ireland)—Postmasters and the Land League—Postmaster at Milford, Co. Cork, 1254
- Protection of Person and Property (Ireland) Act, 1881—Bernard Beirne, 1254

Merchant Shipping (Colonial Inquiries) Bill [H.L.] (*The Earl of Kimberley*)
- *l.* Presented ; read 1ª * *June* 26 (No. 164)
- Read 2ª * *July* 3
- Committee * *July* 4
- Report * *July* 6
- Read 3ª * *July* 7
- *c.* Read 1° * *July* 10 [Bill 235]

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- Polynesia—Kidnapping in the Pacific, 30, 31
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- *Public Health—Increase of Typhoid Fever at the West End,* Question, Mr. Heneage ; Answer, Mr. Dodson *July* 6, 1595
- *Small-Pox,* Questions, Mr. J. G. Talbot ; Answers, Mr. Dodson *June* 26, 388 ; *July* 3, 1235
- *The Regent's Canal,* Question, Mr. Bryce ; Answer, Mr. Chamberlain *July* 6, 1594
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Metropolitan Improvements — Hyde Park Corner, Question, Sir Harry Verney; Answer, Mr. Shaw Lefevre *July* 6, 1606
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Regent's Park—The Enclosure at York Gate, Questions, Mr. W. H. James, Mr. O'Kelly, Mr. Healy; Answers, Mr. Shaw Lefevre, Mr. Speaker *June* 30, 917
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(*Mr. Courtney, Lord Richard Grosvenor*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 27, 665
Amendt. to leave out from "That," and add "the Bill be referred to a Select Committee" (*Mr. Monk*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 59, N. 19; M. 40 (D. L. 186)
Main Question, "That Mr. Speaker, &c." put, and agreed to; Committee—R.P. [Bill 176]
Committee; Report *July* 3, 1349
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Read 3° * *July* 5
l. Read 1ª * (*Lord Thurlow*) *July* 6 (No. 181)

Mexico—The Customs Duties—English Holders of Bonds
Question, Mr. H. B. Sheridan; Answer, Sir Charles W. Dilke *July* 6, 1615

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Mills, Sir C., *Kent, W.*
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Monk, Mr. C. J., *Gloucester City*
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Moore, Mr. A. J., *Clonmel*
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Morgan, Right Hon. G. Osborne (Judge Advocate General), *Denbighshire*
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Mowbray, Right Hon. Sir J. R., *Oxford University*
Parliament—Privilege—Suspension of Irish Members, 1263

Mundella, Right Hon. A. J. (Vice President of the Committee of Council on Education), *Sheffield*
Arrears of Rent (Ireland), Comm. 1552, 1653
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c. Ordered * *June* 26
Read 1° * *June* 27 [Bill 218]

Municipal Corporations (Unreformed) Bill [H.L.]
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Pensions to Dockyard Workmen, Question, Mr. Puleston; Answer, Mr. Campbell-Bannerman *June* 26, 404
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Navy (Foreign Stations)—Nominations to Death Vacancies
Moved for, "Returns of the number of deaths of commissioned officers on the different foreign naval stations each year for the last five years" (*Viscount Sidmouth*) *July* 7, 1763; after short debate, Motion agreed to

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
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Parliament—Business of the House (Urgency), Res. 1308
Parliament—Privilege—Suspension of Irish Members, Res. 1877
Prevention of Crime (Ireland), Comm. *cl.* 16, 793; *cl.* 17, 1005; *add. cl.* 1498

NEWPORT, Viscount, *Shropshire, N.*
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NOLAN, Colonel J. P., *Galway Co.*
Arrears of Rent (Ireland), Comm. 1691; *cl.* 1, 1986, 2003, 2057
Prevention of Crime (Ireland), Comm. *cl.* 12, 123, 155; *cl.* 15, 609, 625; Amendt. *ib.* 629, 631, 633, 638, 641, 650, 696; *add. cl.* 1437, 1477, 1495
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NORTHCOTE, Right Hon. Sir S. H., *Devon, N.*
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O'CONNOR, Mr. A., *Queen's Co.*
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O'Donnell, Mr. F. H., ***Dungarvan***
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O'Shea, Mr. W. H., *Clare*
Ireland — Piers and Harbours — Works at Gowleen Ross and Gerrahies Reef, 1945; —Works at Gowleen Tullig, 1945
Protection of Person and Property Act, 1881—Mrs. John Morony, 1599
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O'Sullivan, Mr. W. H., *Limerick Co.*
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Oxford University Commission
Moved, "That the case of the chancellor, masters, and scholars of the University of Oxford, and the case of the University of Oxford Commissioners in regard to a statute made by them for the University of Oxford concerning the nomination of examiners, as presented to the Universities Committee of the Privy Council and as argued before that Committee, be laid upon the Table of the House" (*The Earl of Camperdown*) *June* 29, 765; Motion agreed to
Universities of Oxford and Cambridge Act, 1877 (*Oxford University Statutes*), Question, The Earl of Camperdown; Answer, The Marquess of Salisbury *July* 4, 1381

Paget, Mr. R. H., *Somersetshire, Mid*
Agricultural Produce (Statistics) — Imports, 1234, 1235
Parliament—Business of the House (Urgency), Res. 1323
Prevention of Crime (Ireland), Comm. *add. cl.* 1347

Palmer, Mr. J. H., *Lincoln*
Law and Police—Central Criminal Court—Accommodation for Witnesses, 1250

Parish Registers Bill (*Mr. Borlase, Mr. Bryce, Mr. Mellor, Mr. Cohrane-Patrick*)
e, Bill withdrawn* *July* 5 [Bill 132]

Parliament
LORDS—
Business of the House—The Land Law (Ireland) Act (1881) *Amendment Bill,* Question, Observations, The Earl of Galloway; Reply, Lord Carlingford; short debate thereon *June* 26, 363
Privilege — Incorrect Reports of Speeches, Observations, Lord Denman *July* 10, 1880

Parliament—Order of Business—Precedence of Ministers
Moved, "That all questions of which notice has been given by any Peer who holds or has held any of the offices of Lord Chancellor of England, Lord President of the Council, Lord Privy Seal, First Lord of the Treasury, Secretary of State, or First Lord of the Admiralty, do take precedence of all other Orders of the Day and Notices" (*The Earl of Limerick*) *June* 29, 763; after short debate, Motion withdrawn

Parliament—The House of Lords—Reporting—Accommodation for the Reporters
Moved, "That until the end of the Session the reporters be provided with temporary accommodation on each side of the Peers' Gallery under the two centre windows" (*The Earl Beauchamp*) *July* 6, 1580; after debate, Motion withdrawn

COMMONS—

Parliament — Privilege — Suspension of Irish Members
Prevention of Crime (Ireland) Bill [Bill 157]
Bill considered in Committee [Progress 29th June] [Twenty-second Night] *June* 30, 937
The Chairman called the attention of the Committee to the evidence of the long continued and increasing obstruction to the business of the Committee, which, after twenty-three days' sittings, had culminated in the discussions upon the present clause (Clause 17); and proceeded to Name severally the following Members:—Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan, for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee; and it was thereupon moved "That these Members be severally suspended from the service of the House during the remainder of this day's sitting" (*Mr. Childers*); The Committee divided; A. 126, N. 27; M. 99
Mr. Speaker having resumed the Chair, Mr. Playfair reported to Mr. Speaker the said Resolution. Mr. Speaker thereupon forthwith put the Question to the House "That the said Members be severally suspended from the service of the House during the remainder of this day's sitting;" The House divided; A. 125, N. 29; M. 96; Mr. Speaker then directed the aforenamed Members to withdraw; and they withdrew accordingly

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PARLIAMENT—COMMONS — *Privilege—Suspension of Irish Members*—cont.

Mr. Playfair then reported to Mr. Speaker that Mr. O'Donnell, the Member for Dungarvan, sitting in his place, had insulted the Chairman, saying that the action taken by him was an infamy; after debate, it was Ordered, "That the conduct of Mr. O'Donnell be taken into consideration on Monday next"

After further long time spent in Committee, Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil having been severally Named by the Chairman for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee, and a Resolution being agreed to thereon—Mr. Speaker having resumed the Chair and the Resolution having been reported, Mr. Speaker forthwith put the Question; The House divided; A. 128, N. 7; M. 121; Mr. Speaker thereupon directed the aforenamed Members to withdraw; and they withdrew accordingly

The Recent Suspension of Irish Members, Questions; Answers, Mr. Speaker, Mr. Lyon Playfair *July* 3, 1262; Question, Mr. Callan; Answer, Mr. Lyon Playfair *July* 5, 1511;—*The Chairman of Committees*, Questions, Mr. Callan; Answers, Mr. Lyon Playfair *July* 10, 1962

Moved, "That so much of the Resolution of this House as referred to the suspension of Mr. Marum from the service of the House on Saturday 1st July, be rescinded" (*Sir John Hay*) *July* 7, 1866; after debate, Question put; A. 29, N. 61; M. 32 (D. L. 243)

Parliament—Mr. O'Donnell

Order read for the Consideration of Mr. O'Donnell's conduct on Saturday last, as reported by the Chairman of the Committee on the Prevention of Crime (Ireland) Bill *July* 3, 1274; Moved, "That Mr. O'Donnell be suspended from the service of the House for the term of fourteen days" (*Mr. Gladstone*); whereupon Mr. O'Donnell was heard in his place

Amendt. to leave out from "That," and add "this House is not prepared to take notice of the language imputed to Mr. O'Donnell, and passes to the next Order of the Day" (*Mr. Joseph Cowen*); Question proposed, "That the words, &c.;" after debate, Question put; A. 199, N. 35; M. 164 (D. L. 231)

Main Question put; A. 181, N. 33; M. 148 (D. L. 232)

Resolved, That Mr. O'Donnell be suspended from the service of the House for the term of fourteen days

Privilege

Premature Publication of Parliamentary Papers, Questions, Mr. Stewart Macliver; Answers, Mr. Courtney *June* 27, 540

Reports of Select Committees, Question, Mr. Biggar; Answer, Mr. Evelyn Ashley *June* 22, 40

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PARLIAMENT—COMMONS—*Privilege*—cont.

The Chairman of Committees, Questions, Mr. Stanley Leighton; Answers, Mr. Gladstone, Mr. Speaker *July* 6, 1620; Questions, Sir H. Drummond Wolff, Mr. Gorst, Mr. T. P. O'Connor; Answers, Mr. Speaker, Mr. Gladstone, 1622

Withdrawal of Irish Members, Observations, Mr. Justin M'Carthy *July* 4, 1400

Business of the House, and Public Business

Arrangement of Public Business, Questions, Mr. W. H. Smith, Mr. Gorst, Colonel Makins; Answers, Mr. Gladstone, Sir Charles W. Dilke, Mr. Campbell-Bannerman *June* 22, 68; Questions, Mr. T. P. O'Connor, Mr. Justin M'Carthy, Sir Stafford Northcote, Mr. J. Lowther; Answers, Mr. Gladstone; Question, Mr. Healy; [no answer] *June* 23, 206; Moved, "That this House do now adjourn" (*Mr. Mac Iver*) *June* 26, 418; after short debate, Question put, and negatived; Questions, Mr. Carbutt, Mr. Ashmead-Bartlett, Mr. T. P. O'Connor; Answers, Mr. Speaker *July* 4, 1390; Observations, Mr. Gladstone *July* 5, 1569;—*The Procedure Resolutions—The First Resolution* (*Clôture*), Questions, Mr. Joseph Cowen, Mr. Labouchere, Mr. Baxter; Answers, Mr. Gladstone *June* 22, 66; Question, Sir William Hart Dyke; Answer, Mr. Gladstone *June* 26, 411;—*Late Sittings of the House*, Question, Mr. Mac Iver; Answer, Mr. Gladstone *June* 26, 416;—*Grand Committees on Scotch Bills*, Question, Sir George Campbell; Answer, Mr. Gladstone *July* 6, 1621;—*Public Business — Partnerships Bill*, Question, Mr. Horace Davey; Answer, Mr. Monk *June* 22, 73; — *The Prevention of Crime* (*Ireland*) *Bill*, Observations, Mr. Gladstone *June* 29, 780; —*Educational Endowments* (*Scotland*) *Bill*, Question, Mr. Dalrymple; Answer, Sir George Campbell *July* 10, 1947

Parliament—An Autumn Session, Ministerial Statement, Mr. Gladstone; short debate thereon *July* 10, 1967

Parliament—Business of the House (*Urgency*)

Moved, "That the Orders of the Day be postponed till after the Notice of Motion relating to the Business of the House (Urgency)" (*Mr. Gladstone*) *July* 3, 1303; after short debate, Question put; A. 135, N. 27; M. 108 (D. L. 233)

Moved, "That the Resolution of the 3rd February 1881, relating to Urgency in the Business of the House, be revived" (*Mr. Gladstone*) *July* 3, 1305

Amendt. at end of Question add "Provided, That so much of the Resolution, as requires that the Question be resolved in the affirmative by a majority of not less than three to one, be dispensed with" (*Mr. Parnell*); Question proposed, "That those words be there added;" after debate, Question put; A. 41, N. 184; M. 143 (D.L. 234)

Original Question again proposed, 1318

Amendt. at end of Question, add "with reference to the Prevention of Crime (Ire-

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Parliament—Business of the House—Urgency— cont.
land) Bill" (*Earl Percy*); Question proposed, "That those words be there added;" after short debate, Question put, and negatived
Original Question put; A. 259, N. 31; M. 228 (D. L. 235)
Resolved, That the Resolution of the 3rd of February 1881, relating to Urgency in the Business of the House, be revived

Parliament—Public Business (*Urgency*)
Moved, "That the Orders of the Day be postponed until after the Notice of Motion relating to the Business of the House (Urgency)" (*Mr. Gladstone*) *July* 4, 1391; after short debate, Question put; A. 391, N. 20; M. 371 (D. L. 238)
Moved, "That the state of Public Business is urgent" (*Mr. Gladstone*), 1392; Question put; A. 401, N. 19; M. 382
Div. List, A. and N., 1392

Observations, Mr. Speaker *July* 4, 1395
Rules framed by Mr. Speaker for the Regulation of the Business of the House, while the State of Public Business is Urgent—Rules Regulating the Proceedings of a Committee of the Whole House upon any Bill or other Matter declared Urgent
The New Rules, Questions, Mr. Sexton, Sir R. Assheton Cross, Mr. Joseph Cowen; Answers, Mr. Speaker *July* 5, 1512; Questions, Mr. Arthur Arnold, Mr. T. P. O'Connor; Answers, Mr. Gladstone, Mr. Speaker *July* 6, 1619

PARLIAMENT—HOUSE OF LORDS
New Peer
June 27—The Right Honourable John David FitzGerald, created Baron FitzGerald of Kilmarnock, in the county of Dublin

Sat First
June 29—The Lord Robartes, after the death of his father
July 4—The Earl of Wilton, after the death of his father

Parliamentary Oath (*Mr. Bradlaugh*)
Mr. Bradlaugh, one of the Members for Northampton, came to the Table to present to the House a Petition *June* 22, 17
Mr. Speaker informed the honourable Member that not having taken the Oath, he was not in a position to present a Petition, and directed him to withdraw; and Mr. Bradlaugh withdrew accordingly

Parliamentary Oaths Act (1866) Amendment Bill [H.L.]
(*The Duke of Argyll*)
l. Moved, "That the Bill be now read 2a" *July* 4, 1354
Amendt. to leave out from ("That,") and insert ("nothing has arisen in the proceedings of this House which makes it expedient at this time to propose a change in the

[*cont.*

Parliamentary Oaths Act (1866) *Amendment Bill*—cont.
existing Parliamentary Oath") (*The Earl of Carnarvon*); after short debate, on Question, "That the words proposed to be left out stand part of the motion?" Cont. 62, Not-Cont. 138; M. 76; resolved in the negative
Div. List, Cont. and Not-Cont., 1379

PARNELL, Mr. C. S., *Cork City*
Arrears of Rent (Ireland), Comm. 1726; *cl.* 1, 1982
Ireland — 12th of July—Orange Processions, 1964
Law and Police—Riots at Tredegar, 1963, 1964
Parliament—Miscellaneous Questions
Mr. O'Donnell, 1294, 1296
Privilege—Suspension of Irish Members, 1272, 1273
Public Business, 1569, 1570
Parliament—Business of the House (Urgency), Res. Amendt. 1306, 1323, 1324
Prevention of Crime (Ireland), Comm. *cl.* 12, Motion for reporting Progress, 156, 158, 160, 212, 214, 228, 231, 233; Amendt. 238, 239, 244, 247, 249, 254, 259, 260, 261, 262, 266; *cl.* 13, 326, 327, 333, 338, 344, 347, 349; *cl.* 14, 578, 594; *cl.* 15, 617, 621, 729, 730, 731, 752; *cl.* 16, 845, 881, 888; *cl.* 17, 948, 949, 954, 957, 958, 1045, 1050, 1061; Amendt. 1071, 1072, 1079, 1080, 1081, 1082, 1083, 1084, 1100, 1103, 1107, 1109; *add. cl.* 1328, 1333, 1342, 1348, 1355

PARRY, Mr. T. L. Jones, *Carnarvon, &c.*
Prevention of Crime (Ireland), Comm. *add. cl.* 1495

Partnerships Bill (*Mr. Monk, Mr. Gregory, Mr. Barran, Mr. Lewis Fry*)
c. Committee (*on re-comm.*)—R.P. *June* 22, 162 [Bill 179]
Committee (*on re-comm.*) *June* 29, 896 [House counted out]
Committee (*on re-comm.*)—R.P. *July* 10, 2058

Passenger Vessels Licences (Scotland) Bill
(*The Lord Advocate, Mr. Solicitor General for Scotland*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1o* *July* 10 [Bill 234]

Payment of Wages Act (1880)—*Fishing Vessels—Desertion of Men*
Questions, Mr. Birkbeck, Mr. Heneage; Answers, Mr. Chamberlain *July* 6, 1597

PEASE, Sir J. W., *Durham, S.*,
Prevention of Crime (Ireland), Comm. *cl.* 12, 145; *cl.* 15, 631

PEASE, Mr. A., *Whitby*
Prevention of Crime (Ireland), Comm. *cl.* 16, 867

PEDDIE, Mr. J. DICK-, *Kilmarnock, &c.*
Scotland—Board of Manufacturers, 1944
Educational Endowments, 1608
National Gallery — Accumulated Funds, 777

PEEL, Mr. A. W., *Warwick Bo.*
Prevention of Crime (Ireland), Comm. *cl.* 12, 109

PELL, Mr. A., *Leicestershire, S.*
Agricultural Tenants' Compensation (No. 2), Comm. 1736
Arrears of Rent (Ireland), Comm. 1669, 1671

PERCY, Right Hon. Earl, *Northumberland, N.*
Egypt (Political Affairs), 774
Parliament—Business of the House (Urgency), Res. Amendt. 1318, 1319, 1323

PERCY, Lord Algernon, *Westminster*
Metropolis—The Parks—Public Offices Site Bill and St. James's Park, 1258
Prevention of Crime (Ireland), Comm. *add. cl.* 1500

PETERBOROUGH, Bishop of
Ireland—Church Temporalities Commission—Arrears of Rent and Interest, Motion for a Paper, 362

Petty Sessions (Ireland) Bill [H.L.]
c. Committee *; Report *June* 26 [Bill 203]
Considered * *June* 29
Read 3° * *July* 3

Pier and Harbour Provisional Orders (No. 2) Bill (*The Lord Sudeley*)
l. Read 3ª * *June* 22 (No. 123)
Royal Assent *July* 3 [45 & 46 *Vict.* c. lviii]

PLAYFAIR, Right Hon. Mr. Lyon (Chairman of Committees of Ways and Means and Deputy Speaker), *Edinburgh and St. Andrew's Universities*
Arrears of Rent (Ireland), Comm. *cl.* 1, 1983, 1984, 2026, 2028, 2030
Boiler Explosions—Lords Amendts. Consid. 524, 525
Parliament—Mr. O'Donnell, 1287
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PLUNKET, Right Hon. D. R., *Dublin University*
Arrears of Rent (Ireland), Comm. *cl.* 1, 2003
Irish Land Commission—Mr. J. G. M'Carthy, a Sub-Commissioner, 1776
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Prevention of Crime (Ireland), Comm. *cl.* 15, 650, 683; *cl.* 16, 783, 833; *cl.* 17, 1101; *add. cl.* 1494, 1495; Consid. *cl.* 8, 1792

Pluralities Acts Amendment Bill [H.L.]
c. Read 1° * *July* 10 [Bill 236]

Police Superannuation Bill—The Pension Fund
Question, Sir Massey Lopes; Answer, Mr. Hibbert *July* 6, 1595

Polynesia—Kidnapping in the Pacific
Questions, Mr. Cropper, Mr. Metge, Mr. O'Donnell; Answers, Mr. Evelyn Ashley *June* 22, 30

Poor Rates Bill (*The Lord Carrington*)
l. Committee *; Report *June* 26 (No. 113)
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PORTER, Mr. A. M. (Solicitor General for Ireland), *Londonderry Co.*
Arrears of Rent (Ireland), Comm. *cl.* 1, 2054, 2055, 2058
Prevention of Crime (Ireland), Comm. *cl.* 12, 251; *cl.* 13, 327, 348; *cl.* 14, 556, 561, 577, 579, 587; *cl.* 15, 633, 740; *cl.* 16, 781, 784, 819, 821, 822, 823, 828, 829; *cl.* 17, 939, 959; *cl.* 18, 1159, 1162, 1173; *cl.* 20, 1187

Portugal—Claims of a Railway Company
Question, Mr. R. N. Fowler; Answer, Sir Charles W. Dilke *July* 10, 1937

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The General Parcels Post, Questions, Mr. Monk, Mr. O'Sullivan; Answers, Mr. Fawcett *July* 3, 1253; Question, Mr. Salt; Answer, Mr. Fawcett *July* 6, 1602
Weather Forecasts, Question, Mr. Birkbeck; Answer, Mr. Fawcett *June* 23, 205

Post Office—Mail Contract (Scrabster, Scapa, and Stromness)
Resolved, "That the Contract entered into with the North of Scotland and Orkney and Shetland Steam Navigation Company, for the conveyance of Mails between Scrabster, Scapa, and Stromness, be approved" (*Mr. Courtney*) *July* 3, 1353

Post Office—Postal Telegraph Service
Amendt. on Committee of Supply *June* 26, To leave out from "That," and add "the working of the Postal Telegraph Service with a view to the realisation of profit involves a Tax upon the use of Telegrams; that any such Tax is inexpedient, and that the profit derived from the service is now such that the charges for Inland Telegrams should be reduced" (*Dr. Cameron*) *v.*, 421; Question proposed, "That the words, &c.;" after short deate, Question put; A. 148, N. 77; M. 71 (D. L. 177)

Power, Mr. J. O'Connor, *Mayo*
Ireland—Miscellaneous Questions
  Board of National Education—National School Teachers at Bohola, Co. Mayo, 1237
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Power, Mr. R., *Waterford*
Parliament—Privilege—Suspension of Irish Members, Res. 1876
Prevention of Crime (Ireland), Comm. *cl.* 12, 86; *cl.* 15, 714; *cl.* 16, Amendt. 873, 878; *add. cl.* 1346, 1422, 1430, 1437, 1446, 1447, 1458, 1465, 1479, 1497, 1502

Powerscourt, Viscount
Irish Land Commission—Sub-Commissioners—Judicial Rents, Motion for a Return, 1754

Powis, Earl of
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Prevention of Crime (Ireland) Bill—Clause 1—Mr. Justice O'Brien
Question, Mr. Healy; Answer, Mr. Gladstone *June* 26, 414

Prevention of Crime (Ireland) Bill
(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Committee—R.P. [Seventeenth Night] *June* 22, 75 [Bill 157]
Committee—R.P. [Eighteenth Night] *June* 23, 207
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Committee—R.P. [Nineteenth Night] *June* 27, 546
Chairman—R.P. [Twentieth Night] *June* 28, 675
Committee—R.P. [Twenty-First Night] *June* 29, 780
Committee [Twenty-Second Night] *June* 30, 937
The Chairman called the attention of the Committee to the evidence of the long continued and increasing obstruction to the business of the Committee, which, after twenty-three days' sittings, had culminated in the discussions upon the present clause (Clause 17); and proceeded to Name severally the following Members:—Mr. Biggar, Mr. Callan, Dr. Commins, Mr. Dillon, Mr. Healy, Mr. Leamy, Mr. Justin M'Carthy, Mr. Marum, Mr. Metge, Mr. T. P. O'Connor, Mr. O'Donnell, Mr. Parnell, Mr. Richard Power, Mr. Redmond, Mr. Sexton, and Mr. Sullivan, for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee; and it was thereupon moved "That these Members be severally suspended from the service of the House during the remainder of this day's sitting" (*Mr. Childers*); The Committee divided; A. 126, N. 27; M. 99
Mr. Speaker having resumed the Chair, Mr. Playfair reported to Mr. Speaker the said Resolution. Mr. Speaker thereupon forthwith put the Question to the House "That the said Members be severally suspended from the service of the House during the remainder of this day's sitting;" The House divided; A. 125, N. 29; M. 96; Mr. Speaker then directed the aforenamed Mem-

[*cont.*

Prevention of Crime (Ireland) Bill—cont.
bers to withdraw; and they withdrew accordingly
Mr. Playfair then reported to Mr. Speaker that Mr. O'Donnell, the Member for Dungarvan, sitting in his place, had insulted the Chairman, saying that the action taken by him was an infamy; after debate, it was Ordered, "That the conduct of Mr. O'Donnell be taken into consideration on Monday next"
After further long time spent in Committee, Mr. Byrne, Mr. William Corbet, Mr. Gray, Mr. Lalor, Mr. Leahy, Mr. Arthur O'Connor, Mr. O'Kelly, Mr. O'Sullivan, and Mr. Sheil having been severally Named by the Chairman for having abused the Rules of the House by persistent and wilful obstruction of the business of the Committee, and a Resolution being agreed to thereon—Mr. Speaker having resumed the Chair and the Resolution having been reported, Mr. Speaker forthwith put the Question; The House divided; A. 128, N. 7; M. 121; Mr. Speaker thereupon directed the aforenamed Members to withdraw; and they withdrew accordingly
After further long time spent in Committee, Committee—R.P.
The House adjourned at Eight o'clock of the evening of Saturday
Committee—R.P. [Twenty-Third Night] *July* 3, 1325
Committee Report [Twenty-Fourth Night] *July* 4, 1400
Considered *July* 7, 1790; after long debate, further Proceeding adjourned [Bill 226]
Further Proceeding resumed, 1833; after debate, Moved, "That the Bill be now read 3°," 1849; after further debate, Question put, and agreed to; Bill passed
The Division on Friday, Questions, Mr. A. J. Balfour, Mr. Sexton; Answers, Mr. Gladstone, Sir William Harcourt *July* 10, 1961
l. Read 1ª * (*The Lord Privy Seal*) *July* 7
Read 2ª, after debate *July* 10, 1881 (No. 186)
[See title *Parliament—Privilege—Suspension of Irish Members*]

PRICE, Captain G. E., *Devonport*
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Prisons (England)—Prison Regulations—Case of Henry Neville
Question, Mr. P. A. Taylor; Answer, Sir William Harcourt *July* 6, 1601

Public Health (Fruit-Pickers' Lodgings) Bill [H.L.] (*The Earl Stanhope*)
l. Read 3ª * *June* 22 (No. 127)
c. Read 1° * (*Mr. J. G. Talbot*) *June* 23
Read 2° * *June* 26 [Bill 214]
Committee *; Report *June* 27
Read 3° * *July* 3

Public Health — Vaccination — Memorandum of Dr. Sweeting
Question, Mr. J. G. Talbot; Answer, Mr. Dodson *June* 26, 393
[See title *Metropolis*]

Public Offices Site [Annuities and Expenses]
c. Resolution considered in Committee, and agreed to *July* 3, 1352
Resolution reported *July* 4

Public Offices Site Bill
(*Mr. Shaw Lefevre, Lord Frederick Cavendish*)
c. Report of Select Comm. * *June* 28 [No. 253]
Committee * (*on re-comm.*); Report *June* 29
Order for 3R. read, and discharged *July* 6, 1733; Bill re-committed; Committee; Report; Considered; read 3° [Bill 221]
l. Read 1ª * (*Lord Sudeley*) *July* 7 (No. 184)

Public Offices Site—The Admiralty, &c.—The Mall
Question, Sir Harry Verney; Answer, Mr. Shaw Lefevre *July* 6, 1605

Public Schools (Scotland) Teachers Bill
(*The Lord Carlingford*)
l. Read 2ª, after short debate *June* 22, 12
Committee; Report, after short debate *June* 26, 375 (No. 143)
Read 3ª * *June* 27
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PULESTON, Mr. J. H., *Devonport*
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REDMOND, Mr. J. E., *New Ross*
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Registry of Deeds Office (Middlesex)—Return of Fees and Expenditure
Question, Mr. Arthur O'Connor; Answer, Mr. Courtney *July* 6, 1614

Reid, Mr. R. T., *Hereford*
Arrears of Rent (Ireland), Comm. *cl.* 1, 2030
Prevention of Crime (Ireland), Comm. *cl.* 12, 150; *add. cl.* 1450

Representation of the People Act, 1868—*The List of Voters—Insertion of Persons holding Parts of House*
Question, Captain Price; Answer, Sir William Harcourt *July* 7, 1782

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l. Presented; read 1ª, after short debate *July* 10, 1910 (No. 190)

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l. Committee * *June* 22 (No. 78)
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Rogers, Mr. J. E. Thorold, *Southwark*
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(*Mr. O'Sullivan, Colonel Nolan, Mr. Richard Power, Mr. Redmond, Mr. Daly*)
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l. Presented; read 1ª* *June* 27 (No. 167)
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(*The Lord Thurlow*)
l. Presented; read 1ª* *June* 27 (No. 166)
Read 2ª* *July* 6
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Read 3ª* *July* 10

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(*Mr. Warton, Mr. Henry H. Fowler*)
c. Read 2º* *June* 28 [Bill 204]

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l. Report * *June* 22 (No. 126)
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Tunis
- Moved for, "An Address for further correspondence respecting the Affairs of Tunis" (*The Lord Stratheden and Campbell*) *June* 26, 351; after short debate, Motion agreed to

Tunis—Administration of Justice
- Moved, "That an humble Address be presented to Her Majesty for correspondence on the subject of the alleged intention of the French Government to suppress the capitulations and to abolish the consular courts in Tunis" (*The Earl De La Warr*) *June* 30, 903; after short debate, Motion withdrawn

Turkey and Greece—Murder of Mr. Ogle
- Question, Mr. H. Samuelson; Answer, Sir Charles W. Dilke *June* 22, 17

Turnpike Acts Continuance Bill (*Mr. Hibbert, Mr. Dodson*)
- *c.* Ordered; read 1º * *July* 10 [Bill 233]

Vaccination—The Alternative Methods—Transmission of Tubercle from Calf Lymph
- Question, Mr. Hopwood; Answer, Mr. Dodson *July* 3, 1248

Vagrancy Bill (*Mr. Pell, Mr. John Talbot, Mr. Bryce, Mr. Cropper, Mr. John Holland*)
- *c.* Read 3º * *June* 22 [Bill 199]
- *l.* Read 1ª * (*Earl Stanhope*) *June* 23 (No. 161)
- Read 2ª, after short debate *July* 6, 1577

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- Public Offices Site—The Admiralty, &c.—The Mall, 1605

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- Question, Mr. Morgan Lloyd; Answer, Sir William Harcourt *July* 4, 1385

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- Prevention of Crime (Ireland), Comm. *cl.* 12, 91, 127, 228, 229, 238; *cl.* 13, 313; *cl.* 15, 680; *cl.* 16, 807, 886, 890; *cl.* 17, 955, 971, 1072; *add. cl.* 1434, 1508; Consid. *cl.* 14, 1816; *cl.* 15, 1837; 3R. 1865
- Public Offices Site, Comm. 1733; 3R. 1735
- Ways and Means, Comm. Res. 1731

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(*The Lord Rosebery*)
l. Committee * *June* 22 (No. 97)
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Resolution reported, and agreed to *July* 7
Instruction to the Committee on the Customs and Inland Revenue Bill, That they have power to make provision therein pursuant to the said Resolution
Considered in Committee *July* 7
Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1883, the sum of £5,703,891 be granted out of the Consolidated Fund of the United Kingdom
Resolution reported *July* 10
[See title *Consolidated Fund* (*No.* 4) *Bill*]

Weights and Measures Act (1878) Amendment Bill
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